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JOURNAL

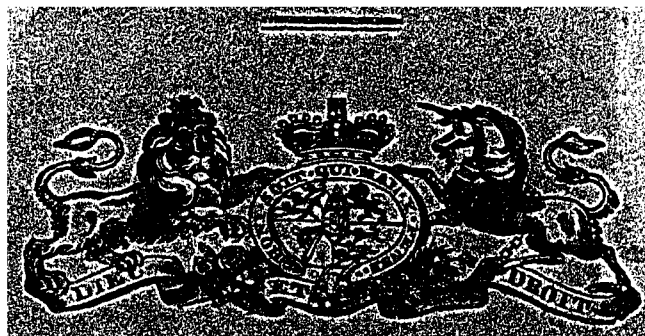
OF THE

LEGISLATIVE COUNCIL

OF

UPPER CANADA.

FIRST SESSION OF THE THIRTEENTH PROVINCIAL PARLIAMENT.



HIS EXCELLENCY SIR FRANCIS BOND HEAD, K. C. H.

LIEUTENANT GOVERNOR.

BY ORDER OF THE HONORABLE THE LEGISLATIVE COUNCIL.

TORONTO.

PRINTED BY ROBERT STANTON, PRINTER TO THE KING'S MOST EXCELLENT MAJESTY.

JOURNAL,

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TORONTO:

PRINTED BY ROBERT STANTON, PRINTER TO THE KING'S MOST EXCELLENT MAJESTY.

1837.

# JOURNAL, &c.

SIR FRANCIS BOND HEAD, K. C. H. LIEUTENANT GOVERNOR.

## PROCLAMATION.

UPPER CANADA.

F. B. HEAD,

*Lieutenant Governor.*

WILLIAM the FOURTH, by the Grace of GOD, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, &c. &c. &c.

Proclamation for proroguing the Parliament to Monday, the 4th July, 1836.

To our beloved and faithful Legislative Councillors of our Province of Upper Canada, and to our Knights, Citizens and Burgesses, of our said Province; to our Provincial Parliament at our City of Toronto, on the Thirtieth day of May, instant, to be commenced, held, called and elected, and to every of you:

GREETING.

WHEREAS on the Twentieth day of April last, we thought fit to prorogue our Provincial Parliament to the Thirtieth day of May instant, at which time, at our City of Toronto, you were held and constrained to appear.

NOW KNOW YE, that We, taking into our Royal consideration the ease and convenience of our loving Subjects, have thought fit, by and with the advice of our Executive Council, to relieve you, and each of you, of your attendance at the time aforesaid, hereby convoking, and by these presents enjoining you, and each of you, that on Monday, the Fourth day of July, next ensuing, you meet us in our Provincial Parliament, at our City of Toronto, there to take into consideration the state and welfare of our said Province of Upper Canada, and therein to do as may seem necessary, and herein fail not.

IN TESTIMONY WHEREOF, We have caused these our Letters to be made Patent, and the Great Seal of our said Province to be hereunto affixed: WITNESS our trusty and well-beloved SIR FRANCIS BOND HEAD, K. C. H. &c. &c. &c. Lieutenant Governor of our said Province, at Toronto, this Twenty-fourth day of May, in the year of our Lord one thousand eight hundred and thirty-six, and in the Sixth year of our Reign.

F. B. H.

By Command of His Excellency.

SAMUEL P. JARVIS,

*Clerk of the Crown in Chancery.*

D. CAMERON,

*Secretary.*

## PROCLAMATION.

UPPER CANADA.

F. B. HEAD,

LIEUTENANT GOVERNOR.

WILLIAM the FOURTH, by the Grace of GOD, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, &c. &c. &c.

Proclamation for Dissolving the Parliament.

To our beloved and faithful Legislative Councillors of our Province of Upper Canada, and to our Knights, Citizens and Burgesses, of the House of Assembly of our said Province, called

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

and chosen, to our present Parliament of our said Province, and to all our loving Subjects to whom these presents shall come.

GREETING.

WHEREAS We have thought fit, by and with the advice of our Executive Council of our Province of Upper Canada, to Dissolve the present Provincial Parliament of our said Province, which stands prorogued to the fourth day of July, now next ensuing.

NOW KNOW YE, that we do for that end publish this our Royal Proclamation, and do hereby Dissolve the said Provincial Parliament accordingly; and the Legislative Councillors, and the Knights, Citizens and Burgesses, of the House of Assembly are discharged from their meeting and attendance on the said fourth day of July, next ensuing.

IN TESTIMONY WHEREOF, We have caused these our Letters to be made Patent, and the Great Seal of our said Province to be hereunto affixed: WITNESS our trusty and well-beloved SIR FRANCIS BOND HEAD, K. C. H. &c. &c. &c. Lieutenant Governor of our said Province, at Toronto, this Twenty-eighth day of May, in the year of our Lord one thousand eight hundred and thirty-six, and in the Sixth year of our Reign.

F. B. H.

SAMUEL P. JARVIS,

*Clerk of the Crown in Chancery.*

By Command of His Excellency in Council.

D. CAMERON,

*Secretary.*

## PROCLAMATION.

UPPER CANADA.

F. B. HEAD,

LIEUTENANT GOVERNOR.

WILLIAM the FOURTH, by the Grace of GOD, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, &c. &c. &c.

To all to whom these Presents shall come:

GREETING:

WHEREAS We are desirous and resolved, as soon as may be, to meet our People of our said Province of Upper Canada, and to have their advice in Provincial Parliament: We do make known our Royal will and pleasure, and we do hereby summon and call together an Assembly in and for the said Province, to meet on the Sixteenth day of July, now next ensuing. And we do hereby further declare, that with the advice of our Executive Council for the affairs of this Province, We have this day given orders for the issuing out writs in due form, for summoning and calling together an Assembly in and for the said Province, which writs are to bear teste the Twenty-eighth day of May, instant, and to be returnable on the Sixteenth day of July, now next ensuing.

IN TESTIMONY WHEREOF, We have caused these our Letters to be made Patent, and the Great Seal of our said Province to be hereunto affixed: WITNESS our trusty and well-beloved SIR FRANCIS BOND HEAD, K. C. H. &c. &c. &c. Lieutenant Governor of our said Province, at Toronto, this Twenty-eighth day of May, in the year of our Lord one thousand eight hundred and thirty-six, and in the Sixth year of our Reign.

F. B. H.

SAMUEL P. JARVIS,

*Clerk of the Crown in Chancery.*

By Command of His Excellency in Council.

D. CAMERON,

*Secretary.*

Proclamation for the issuing out writs for summoning and calling together an Assembly, to meet on the 16th July, 1836.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

By a further Proclamation of His Excellency SIR FRANCIS BOND HEAD, K. C. H. Lieutenant Governor of the Province of Upper Canada, dated the Eleventh day of July, in the year of our Lord one thousand eight hundred and thirty-six, the meeting of the Legislative Council and House of Assembly, stands further prorogued, to Thursday, the Eighteenth day of August, next ensuing.

Proclamation for proroguing the Parliament to Thursday, the 18th August, 1836.

By a further Proclamation of His Excellency SIR FRANCIS BOND HEAD, K. C. H. Lieutenant Governor of the Province of Upper Canada, dated the Sixteenth day of August, in the year of our Lord one thousand eight hundred and thirty-six, the meeting of the Legislative Council and House of Assembly, stands further prorogued, to Thursday, the Twenty-second day of September, next ensuing.

Proclamation for proroguing the Parliament to Thursday, the 22nd September, 1836.

By a further Proclamation of His Excellency SIR FRANCIS BOND HEAD, K. C. H. Lieutenant Governor of the Province of Upper Canada, dated the Fifteenth day of September, in the year of our Lord one thousand eight hundred and thirty-six, the meeting of the Legislative Council and House of Assembly, stands further prorogued, to Thursday, the Twenty-seventh day of October, next ensuing.

Proclamation for proroguing the Parliament to Thursday, the 27th October, 1836.

## PROCLAMATION.

### UPPER CANADA.

F. B. HEAD,

LIEUTENANT GOVERNOR.

WILLIAM the FOURTH, by the Grace of GOD, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, &c. &c. &c.

Proclamation for calling the Parliament together, on Tuesday, the 8th November, 1836, for the actual despatch of public business.

To our beloved and faithful Legislative Councillors of our Province of Upper Canada, and to our Knights, Citizens and Burgesses of our said Province; to our Provincial Parliament at our City of Toronto, on the Twenty-seventh day of October, instant, to be commenced, held, called and elected, and to every of you:

#### GREETING.

WHEREAS by our Proclamation bearing date the Fifteenth day of September last, we thought fit to prorogue our Provincial Parliament to the Twenty-seventh day of October, instant, at which time, at our City of Toronto, you were held and constrained to appear.

NOW KNOW YE, that We, taking into our Royal consideration the ease and convenience of our loving Subjects, have thought fit, by and with the advice of our Executive Council, to relieve you, and each of you, of your attendance at the time aforesaid, hereby convoking, and by these Presents enjoining you, and each of you, that on Tuesday, the Eighth day of November, next ensuing, you meet us in our Provincial Parliament, at our City of Toronto, FOR THE ACTUAL DESPATCH OF PUBLIC BUSINESS, there to take into consideration the state and welfare of our said Province of Upper Canada, and therein do as may seem necessary, and herein fail not.

IN TESTIMONY WHEREOF, We have caused these our Letters to be made Patent, and the Great Seal of our said Province to be hereunto affixed: WITNESS our trusty and well-beloved SIR FRANCIS BOND HEAD, K. C. H. &c. &c. &c. Lieutenant Governor of our said Province, at Toronto, this Sixth day of October, in the year of our Lord, one thousand eight hundred and thirty-six, and in the Seventh year of our Reign.

F. B. H.

By Command of His Excellency in Council.

SAMUEL P. JARVIS,

*Clerk of the Crown in Chancery.*

D. CAMERON,

*Secretary.*



# LEGISLATIVE COUNCIL.

## UPPER CANADA.

TUESDAY, 8th NOVEMBER, 1836.

THIS being the day appointed for the meeting of the Provincial Legislature, at half-past two of the clock, P. M. House meets.

The House met.

Prayers were read.

After which the Oath prescribed by the Statute of the 31st George the 3rd, Chapter 31st, was taken and subscribed at the Table, in the presence of Grant Powell, Esquire, one of the Commissioners named for that purpose, by the following Members, who took their seats, viz: Oath prescribed by Law administered to the Members.

*The Honorable* JOHN B. ROBINSON, SPEAKER.

*The Honorable* Mr. DICKSON,

*The Hon. & Ven. The* ARCHDEACON OF YORK,

*The Honorable Messrs.* WELLS,

“ “ CAMERON,

“ “ MARKLAND,

“ “ ALLAN,

*The Honorable Messrs.* McDONELL,

“ “ ELMSLEY,

“ “ BALDWIN,

“ “ HAMILTON,

“ “ ADAMSON,

“ “ JOHN KIRBY,

Members present.

Then the House formed.

At three of the clock, P. M., His Excellency the Lieutenant Governor being seated on the Throne, his Honor the Speaker of the Legislative Council commanded the Gentleman Usher of the Black Rod to inform the Members of the Assembly, that it was His Excellency's pleasure that they do forthwith attend at the Bar of this House: Lieutenant Governor comes to the House, and commands the attendance of the Assembly.

Who being come thereto, the Speaker of this House said—

*Honorable Gentlemen of the Legislative Council: and,*

*Gentlemen of the House of Assembly:*

I am commanded by His Excellency the Lieutenant Governor to inform you, that His Excellency does not think fit to declare the causes for which he has summoned this Provincial Parliament until there be a Speaker of the House of Assembly: it is therefore His Excellency's pleasure that you, Gentlemen of the House of Assembly, do forthwith repair to your Chamber, and there choose a fit and proper person to be your Speaker, and that you present the person whom you shall have so chosen to His Excellency, in this House to-morrow, at three of the clock, for His approbation. Causes for summoning the Parliament withheld until a Speaker of the Assembly be chosen.

The House of Assembly having withdrawn, His Excellency was pleased to retire. His Excellency retires.

On motion made and seconded, the House adjourned until to-morrow, at half-past two of the clock, P. M. House adjourns.

WEDNESDAY, 9th NOVEMBER, 1836.

The House met pursuant to adjournment. House meets.

### PRESENT:

*The Honorable* JOHN B. ROBINSON, SPEAKER.

*The Honorable* Mr. DICKSON,

*The Hon. & Ven. The* ARCHDEACON OF YORK,

*The Honorable Messrs.* WELLS,

“ “ CAMERON,

“ “ ALLAN,

*The Honorable Messrs.* McDONELL,

“ “ ELMSLEY,

“ “ BALDWIN,

“ “ HAMILTON,

“ “ ADAMSON,

“ “ JOHN KIRBY.

Members present.

Prayers were read.

The Honorable Mr. Crooks came to the table, and took and subscribed the Oath prescribed by the Statute, 31st Geo. III. Chap. 31st, pursuant to the Third Rule of the House. Oath prescribed by Law administered to the Hon. Mr. Crooks.

The Minutes of yesterday were read.



Wednesday, 9th November, 1836.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT. 7th WILLIAM IV.

Lieutenant Governor again comes to the House, and commands the attendance of the Assembly.

His Excellency the Lieutenant Governor having come to the House, and being seated in the Chair on the Throne, the Speaker of the Legislative Council commanded the Gentleman Usher of the Black Rod to let the Assembly know, it was His Excellency's pleasure they attend him immediately in this House: who being come—

Mr. McLEAN said :

MAY IT PLEASE YOUR EXCELLENCY :

Mr. McLean informs His Excellency that the Assembly have chosen him to be their Speaker.

The House of Assembly, in obedience to Your Excellency's command, have proceeded to the election of a Speaker, and it now becomes my duty to announce to Your Excellency, that I have been chosen to fill that office.

My deep sense of the importance of the duties which their choice imposes upon me, cannot but make me distrust my own ability sufficiently to discharge them, and I rely rather on my ardent desire to fulfil the just expectations of the House of Assembly, than on my fitness for the situation, while in their behalf I respectfully pray that your Excellency will be pleased to approve of their choice.

Then the Speaker of this House said :

MR. McLEAN,

His Excellency confirms the choice of the Assembly in their Speaker.

His Excellency the Lieutenant Governor commands me to declare to you, that in full assurance of your discretion, ability and zeal, he entirely approves of the choice which the Assembly have made, and does confirm and allow you to be their Speaker.

Then the Speaker of the Assembly said :

MAY IT PLEASE YOUR EXCELLENCY :

Reply of the Speaker of the Assembly thereto.

The very gracious manner in which Your Excellency has been pleased to approve of the choice which the Assembly has made of me as their Speaker, demands and receives my most grateful acknowledgment.

If in the execution of the important duties of my station I should at any time fall into error, I entreat that the fault may be imputed to me and not to the Assembly, whose servant I have the honor to be; and that they may be the better enabled to discharge their duty to His Majesty and their Country, I do in their name and on their behalf, by humble Petition, lay claim to all their rights and privileges, particularly that they may have liberty of Speech for the better management of their debates; access to Your Excellency's person on all seasonable occasions; and that their proceedings may receive from Your Excellency the most favourable interpretation.

Then the Speaker of this House said :

MR. SPEAKER,

Answered by the Speaker of this House.

His Excellency the Lieutenant Governor freely confides in the duty and attachment of the Assembly to His Majesty's Person and Government, and not doubting that their proceedings will be conducted with wisdom, temper and prudence, he grants, and upon all occasions will recognise and allow their Constitutional Privileges.

I am commanded also to assure you, that the Assembly shall have ready access to His Excellency upon all seasonable occasions, and that their proceedings, as well as your words and actions, will constantly receive from him the most favourable construction.

Parliament convened.

Then His Excellency the Lieutenant Governor was pleased to open the Session by a gracious Speech to both Houses.

His Excellency retires.

The House of Assembly having withdrawn, His Excellency was pleased to retire.

Speaker reports a copy of His Excellency's Speech.

The Honorable the Speaker informed the House, that he was in possession of a copy of His Excellency's Speech, which he read, and it was again read, (*pro forma*) by the Clerk, and is as follows :

Wednesday, 9th November, 1836.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

*Honorable Gentlemen of the Legislative Council: and,  
Gentlemen of the House of Assembly:*

With great satisfaction I congratulate you on the loyal feeling which pervades this Province, and on the stillness and serenity of the public mind.

The auspicious tranquillity of the Country offers you advantages, which the Legislature of Upper Canada has long been unhappily deprived of, and I gladly avail myself of the opportunity, to bring before your grave consideration some of those subjects, which the Country has now reason to expect will be met by its Legislature, with a firm determination to bring them to a final settlement.

The Speech.

The most important of these, is the long disputed question of the Clergy Reserves.

I invite your serious attention to this subject, in the full confidence that by moderation and sound discretion, you will overcome the obstacles that have hitherto attended its discussion.

The beneficent intentions of His Majesty in granting a Charter of Incorporation to the University of King's College, have hitherto been productive of no useful result.

In calling your attention to this fact, I trust that the Province will shortly be indebted to your deliberations, for possessing within itself, the means of bestowing upon youth, the inestimable blessings of a refined and liberal education.

The disposal of the School Lands, and the promotion of general Education, are so intimately connected with the future destinies of this Colony, that I feel confident they will suggest themselves to your early consideration.

The term which intervenes between the Courts of Oyer and Terminer in this Province—the consequent crowded state of the Gaols—as well as the length of imprisonment suffered by persons charged with crime, are evils which I deeply lament, and I trust you will determine whether by an increase to the present number of Judges, they would not be effectually removed.

Having been made aware that cases of neglected misery and distress have long existed within the Province, from the want of some place of public refuge for those of our fellow creatures, to whom, in His Divine Providence, the Almighty, by depriving them of reason, has given peculiar claims upon our care, I feel satisfied that the necessity of establishing a Provincial Asylum for Lunatics, need only be suggested, to receive your benevolent consideration.

I feel it my duty to call your attention, to the advantages which would be derived from opening communications, by which the agricultural produce of this Province, might readily be brought to a market.

Among various improvements of this nature, a great Western Rail-road will no doubt claim your favorable notice, as being of infinite benefit to this Province, as well as promoting our friendly intercourse with the neighbouring States.

I also recommend to your consideration, an immediate inquiry into the state of the Welland Canal.

I regret to say, that under existing circumstances it may not be deemed advisable to commence negotiations with the adjoining Province for the improvement of the Navigation of the Ottawa, but I recommend to your consideration the propriety of causing a survey and accurate estimate to be made, of the expense of connecting by the waters of that noble River, Lake Huron with the Ocean.

Having during the recess of the Legislature, given considerable attention to the neglected state of the Roads throughout the Province, I beg you to consider, whether some efficient system might not be devised, for placing them under a superintendence, to be held responsible, that the Statute Labour, as well as the large sums of money annually voted for their repair, should be scientifically, economically, and impartially expended.

Wednesday, 9th November, 1836.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

I have to inform you, that for the purpose of encouraging Immigration, I have recommended to His Majesty's Government that such portions of the Military Reserves as are not required for defence, should, as early as possible, be offered to the public. I also hope to be authorised to adopt a quicker, more convenient and more beneficial system, in the Land-granting Department; and I am happy to add, that I have concluded negotiations by which I have obtained from the Indians very extensive tracts of rich land, which from feelings highly creditable to their race, they have cheerfully relinquished for the public good.

As the Constitution of Upper Canada secures to British Emigrants their own revered Institutions—as this noble climate and luxuriant soil offer them immediate independence and support, with a moral insurance that their land, whether it be cultivated well or ill, must in a few years unavoidably increase in value to a great extent—we may reasonably expect that the redundant enterprise, capital, and population of the Empire, will now flow towards this favored Province, in which I conscientiously believe British Capital to be as secure, as it is in the Mother Country.

*Gentlemen of the House of Assembly:*

I trust you will take immediate measures, for relieving the Government of this Province from the embarrassment it has laboured under, and is still suffering, from the Supplies for the Public Service having been withheld.

I shall direct the Public Accounts, together with Estimates for the sums required for the support of the Civil Government, for the current and ensuing years, to be laid before you.

*Honorable Gentlemen, and Gentlemen:*

I feel confident that the distinguished and conspicuous station which the people of Upper Canada have attained in the estimation, not only of the Empire, but of the civilized world, will, throughout the Session we this day commence, be firmly upheld, by the dignity of your deliberations—by the wisdom of your proceedings—by the purity of your Legislation, and by your unceasing zeal for the public good.

As regards the duties of my station in the Legislature, it is my intention so long as they may graciously be confided to me, to occupy myself to the best of my ability, in the internal improvement of the Country—in the impartial administration of Justice—and in maintaining unsullied the commercial integrity of the Province.

The constant obedience which the British Constitution demands for its sacred Institutions, educates and dignifies the public mind—the moral discipline of their passions, organizes the power of the people—and eventually implants in the national character, justice, mercy, generosity and forbearance.

It has long been asserted, that these British sentiments which would vegetate in the deserts of Arabia, are uncongenial to the soil of America; but the voice of Upper Canada has repudiated this libel on the land—and both reason and truth are now daily demonstrating, that the safest description of Self-Government, the securest mode of protecting life, property and liberty, is that honorable submission, and virtuous obedience to the laws, which the three branches of the Legislature, as well as the people of this Province, I trust will ever continue to be proud to acknowledge.

The Legislature of Upper Canada, is not imbued with power to alter the Constitution imparted to it by an Act of the Imperial Parliament. I therefore shortly after my arrival here publicly declared, that if the inhabitants of the whole Province were simultaneously to petition me to alter a single letter of that solemn Act, I had neither power nor inclination to do so.

Grateful for the manly support which the expression of this sentiment has procured for me, I feel it my duty again unequivocally to assure you of my determination, to carry into effect His Majesty's Instructions, and thus "*to maintain the happy Constitution of this Province INVIOLETE.*"

On motion made and seconded; it was,

11th & 14th November, 1836.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

Ordered, that a Committee be appointed to draft an Address to the Lieutenant Governor, in answer to His Excellency's Speech at the opening of the Session; and, Committee appointed to draft an Address in answer thereto.

Ordered, that the Honorable Messieurs Dickson, Hamilton, and Crooks, do compose the same, for that purpose. Members composing same.

On motion made and seconded, the House adjourned until Friday next, at three of the clock, P. M. House adjourns.

FRIDAY, 11th NOVEMBER, 1836.

The House met pursuant to adjournment. House meets.

PRESENT :

*The Honorable* JOHN B. ROBINSON, SPEAKER.  
*The Honorable* Mr. DICKSON,  
*The Hon. & Ven. The* ARCHDEACON OF YORK.  
*The Honorable* Mr. ALLAN,

*The Honorable Messrs.* McDONELL,  
 " " ELMSLEY,  
 " " JOHN KIRBY,  
 " " CROOKS,

Members present.

Prayers were read.

The Minutes of Wednesday last were read.

The Honorable Mr. Crooks brought up the petition of Thomas Servos, of the Town of Niagara; and also the petition of David Jones, and other inhabitants of the District of Johnstown; which were laid on the table. Petitions of Thomas Servos; and David Jones, and others, brought up.

The Honorable Mr. Allan brought up two petitions of James Newbigging, and others, Members of the Board of Trade of the City of Toronto; and also the petition of Samuel Woods, and others, inhabitants of the District of Niagara; which were laid on the table. Petitions of James Newbigging, and others; and Samuel Woods, and others, brought up.

On motion made and seconded, the House adjourned until Monday next, at three of the clock, P. M. House adjourns.

MONDAY, 14th NOVEMBER, 1836.

The House met pursuant to adjournment. House meets.

PRESENT :

*The Honorable* JOHN B. ROBINSON, SPEAKER.  
*The Honorable* Mr. DICKSON,  
*The Hon. & Ven. The* ARCHDEACON OF YORK.  
*The Honorable Messrs.* WELLS,  
 " " ALLAN,

*The Honorable Messrs.* McDONELL,  
 " " BALDWIN,  
 " " HAMILTON,  
 " " JOHN KIRBY.

Members present.

Prayers were read.

The Honorable Mr. Morris came to the table, and took and subscribed the Oath prescribed by the Statute 31st Geo. the 3rd, Chap. 31st, pursuant to the third rule of the House. Oath prescribed by Law administered to the Hon. Mr. Morris.

The minutes of Friday last were read.

The Honorable Mr. Dickson, from the Select Committee appointed to draft an Address to the Lieutenant Governor, in answer to His Excellency's Speech from the Throne, reported a draft thereof, which he read in his place; and, Report of Select Committee appointed to draft an Address in answer to His Excellency's Speech.

The same was again read by the Clerk; and it was, Draft read first time.

Ordered, that the House be put into a Committee of the whole presently, to take the same into consideration. Read second time.

The House was then put into a Committee of the whole accordingly. Committed.

The Honorable Mr. Wells took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said Address, and recommended the same to the adoption of the House. Reported.

Ordered, that the report be received; and, Adopted.

Ordered, that the said Address be engrossed, and read a third time this day.

Pursuant to the order of the day, the petition of Thomas Servos, of the Town of Niagara, praying for relief: also, the petition of David Jones, and others, inhabitants of the District of Johnstown, praying for the establishment of a Bank within the said District, at Brockville, and an Office of Discount and Deposit at Prescott, with a Board of Directors for that place: also, the petitions of James Newbigging, and others, Members of the Board of Trade of the City of Petitions of Thomas Servos; David Jones, and others; James Newbigging, and others; and,

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Samuel Woods, and others, read.

Toronto, praying for an Act authorising the legal rate of Interest to be increased to seven or eight per Cent., or totally abolishing the Usury Laws, and praying for an amendment of the City Incorporation Act, as regards the Assessment on Property, and the qualification of the Municipal Officers; and also, the petition of Samuel Woods, and others, inhabitants of the District of Niagara, praying for an Act incorporating a Banking Company at Saint Catharines, were severally read.

Address in answer to His Excellency's Speech, read third time, passed and signed.

Pursuant to order, the Address to the Lieutenant Governor, in answer to His Excellency's Speech from the Throne, was read a third time and passed.

Whereupon the Speaker signed the same, and it is as follows:

*To His Excellency SIR FRANCIS BOND HEAD, Knight Commander of the Royal Hanoverian Guelphic Order, Knight of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY:

Address.

We, His Majesty's dutiful and loyal Subjects, the Legislative Council of Upper Canada, in Provincial Parliament assembled, return our most respectful thanks for Your Excellency's Speech from the Throne, at the opening of the present Session.

We rejoice most cordially with Your Excellency, in the loyal feeling which pervades this Province, and in the return of that tranquillity which is so essential to the public prosperity.

This auspicious change, we attribute chiefly to the firmness and decision with which Your Excellency has avowed your determination to support the Constitution of the Province, animating with confidence those who justly revere the Institutions of their native land, and discouraging any, who under the specious pretext of Reform, may have been insidiously labouring to effect changes in our Government and Laws, to which the majority of the people are from reason and duty wholly opposed.

The tranquillity so happily restored to us, will afford an opportunity for the Legislature to discuss calmly and dispassionately, those subjects which the Country has now reason to expect will be the objects of their earnest and deliberate attention; and we beg to assure Your Excellency, of our anxious desire to co-operate with the other branches of the Legislature, in effecting a just, liberal, and permanent settlement of the several important questions, to which Your Excellency has been pleased to refer.

The provision which has been made by Law for the religious instruction of the people, will again occupy our serious attention; and we sincerely trust, that the difficulties which have hitherto attended its discussion may at length be overcome, and that with the sanction of the Imperial Parliament, some measure may be matured, which will happily set at rest a subject of an engrossing and paramount interest to the Inhabitants of Upper Canada.

We feel deeply the injury this Province has sustained, from the circumstances which have hitherto frustrated the gracious intentions of His late Majesty, in granting a Charter of Incorporation to the University of King's College; and we shall be happy to concur with the other branches of the Legislature, in rendering the Institution effectual for bestowing on the youth of the Province, the inestimable blessings of a refined and liberal education.

The proper disposal of the School Lands, and the promotion of general education, are matters so intimately connected with the best interests of this Colony, that we shall feel it our duty to bestow on them our most attentive consideration.

The convenient and satisfactory administration of Justice, and particularly in the Criminal Department, is an object of such general interest, that we trust, if any measures are necessary for enabling the Government to provide for more frequent deliveries of the Gaols in the several Districts, such measures will no longer be delayed. The long period which so often intervenes between the apprehension and trial of a prisoner is productive of much hardship and inconvenience, and in the present advanced state of this Colony, we can see no sufficient reason for suffering the evil to continue.

We doubt not that cases of neglected misery, from the cause Your Excellency has alluded to, have long existed in this Province; and we concur with Your Excellency in thinking, that humanity now calls loudly for the institution of some place of refuge for such of our Fellow-

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SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

Creatures as are affected by the loss of their reason. We should have much pleasure in uniting with the other branches of the Legislature, in lightening, so far as may be done by human means, the pressure of calamity so distressing.

Our attention shall be studiously given to any suggestions which may be offered, relative to the opening Communications by which the Agricultural produce of this Province may be more readily brought to market; and among the various improvements of this nature, a great Western Rail Road will, no doubt, claim our early consideration, as an undertaking of the first importance to this Country, and tending to promote that friendly intercourse with the neighbouring States which it should be our desire to cultivate.

The state of the Welland Canal, and the most expedient means of rendering it secure and useful to the public, shall engage our serious attention; and we trust it may be found practicable to adopt some decisive measure for the future management and care of that important work.

We participate in the regret, that under existing circumstances, it should not be deemed advisable to commence negotiations with the adjoining Province, for the improvement of the Navigation of the Ottawa—but this temporary difficulty, we trust, will not be suffered to deter the Legislature from causing a Survey and accurate Estimates to be made, of the expense of connecting Lake Huron with the Ocean, by the waters of that noble River.

We have been a long time aware, that the system sanctioned by the Road Laws has been inadequate to the wants and expectations of the public, that a loose, irresponsible, and forbearing execution of those Laws has hitherto prevailed, and that some efficient means ought to be devised for placing the Highways under such superintendence as shall involve responsibility, in order that the Statute Labour, as well as the large sums of money annually voted, shall be scientifically, economically, and impartially applied.

We thank Your Excellency for informing us, that you have recommended to His Majesty's Government, that such portions of the Military Reserves as are not required for defence, should, as early as possible, be offered to the public, as a means of encouraging Immigration; and that Your Excellency hopes to be authorised to adopt a more convenient and beneficial system in the Land Granting Department.

We beg also to congratulate Your Excellency on the conclusion of negotiations, by which very extensive tracts of rich Land have been obtained from the Indians, which, from feelings highly creditable to their Race, they have cheerfully relinquished for the public good.

It is with much satisfaction that we receive the assurance of Your Excellency's conviction, of the advantages which this Province presents to such of our fellow-subjects as desire to Emigrate from the United Kingdom; and as Your Excellency's judgment must undoubtedly have been formed without prejudice from local interests, we cannot but anticipate great benefit to the Colony, from the open and decided declaration of Your Excellency's opinion in regard to those advantages, and in particular, as it respects the security presented for the investment of Capital.

While Your Excellency has thus pledged the responsibility of your high station, in order to disabuse the public mind of impressions prejudicial to the character and interests of this Province, we should be inexcusably wanting in a sense of the duty imposed upon us by the Constitution, if we failed, on our part, to promote, with sincerity and zeal, whatever measures may seem best calculated to uphold the reputation, and advance the welfare of this very valuable possession of the British Crown.

That Your Excellency will continue to be occupied in the most earnest endeavours to discharge, with advantage to the Colony, the high powers committed to you by our Sovereign, we can entertain no doubt, and in the present stage of advancement at which the Province has arrived, we are persuaded that too much stress cannot be laid upon the necessity which Your Excellency has adverted to, of supporting, unsullied, its Commercial integrity.

Amidst the efforts which have been industriously used to unsettle Institutions, wisely framed and approved by the experience of ages, it is gratifying to every friend of order and

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FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

good Government, to observe the resolution with which Your Excellency has determined to abide by the principles of our Constitutional Charter; and the character of the people of Upper Canada must be raised in the estimation of their Sovereign, and of the supporters of rational liberty in all Countries, when it is seen that the open and unhesitating avowal of Your Excellency's determination, has called forth that ardent and manly support which Your Excellency has been pleased to acknowledge.

On motion made and seconded, it was,

Committee appointed to know when it would be received.

Ordered, that a Committee be appointed to wait upon His Excellency the Lieutenant Governor, to know when His Excellency would be pleased to receive this House with their address; and,

Members composing same.

Ordered, that the Honorable Messieurs Dickson and Hamilton, do compose the same for that purpose.

Petitions of J. Parker and others:

The Honorable Mr. Baldwin brought up the petition of J. Parker, and others, inhabitants of the County of Hastings; which was laid on the table.

and President, &c. of the Bank of Upper Canada, brought up.

The Honorable Mr. Allan brought up the petition of the President, Directors and Company, of the Bank of Upper Canada; which was laid on the table.

House adjourns.

On motion made and seconded, the House adjourned until to-morrow, at two of the clock, P. M.

TUESDAY, 15th NOVEMBER, 1836.

House meets.

The House met pursuant to adjournment.

PRESENT :

Members present.

*The Honorable* JOHN B. ROBINSON, SPEAKER.

*The Honorable Messrs.* McDONELL,

*The Honorable* Mr. DICKSON.

" " BALDWIN,

*The Hon. & Ven. The* ARCHDEACON OF YORK,

" " HAMILTON,

*The Honorable Messrs.* WELLS,

" " JOHN KIRBY,

" " CAMERON,

" " MORRIS,

Prayers were read.

The Minutes of yesterday were read.

Report of the Committee appointed to wait upon his Excellency, to know when the Address of the House would be received.

The Honorable Mr. Dickson, from the Select Committee appointed to wait upon His Excellency the Lieutenant Governor, to know when this House would be received with their Address, reported that they had done so, and that His Excellency had been pleased to appoint the hour of three of the clock, P. M. this day, for that purpose.

Address presented.

At the time appointed the House proceeded to the Government House, with their Address in answer to His Excellency's Speech from the Throne, and having returned, his Honor the Speaker reported that His Excellency the Lieutenant Governor had been pleased to receive the same, and to give an answer thereto, of which he had obtained a copy, which he read, and it was again read by the Clerk, as follows:

Speaker reports his Excellency's reply thereto.

Same read.

*Honorable Gentlemen of the Legislative Council:*

The Reply.

I have great pleasure in thanking you for the loyal Address I have just received from you, and for the satisfactory assurances it contains.

It was moved and seconded, that it be,

Motion for the appointment of a Committee on the subject of the Welland Canal.

*Resolved*—That it is desirable, in order to ascertain the present state of the Works of the Welland Canal, that three Members of this House proceed, as soon as convenient, to inspect the whole line of the Canal, from the Harbour at the Twelve Mile Creek to Gravelly Bay, on Lake Erie, and report, either in their places in the House, or by writing, their opinion as to the extent of repairs necessary to keep the Navigation permanently open, to the end that this House may better understand the merits of any measure which may be proposed during the present Session for its concurrence, and that the Honorable Messieurs Baldwin, Kirby, and Morris, be requested to undertake this mission.

Question put and carried.

The said resolution being read a second time, and the question of concurrence put thereon, it was carried in the affirmative.

Petition of Robert Mellville and others, brought up.

The Honorable Mr. Dickson brought up the petition of Robert Mellville, and others, inhabitants of the Town of Niagara, and its vicinity; which was laid on the table.

House adjourns.

On motion made and seconded, the House adjourned until Thursday next, at three of the clock, P. M.

17th & 18th November, 1836.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

THURSDAY, 17th NOVEMBER, 1836.

At half an hour past three of the clock, P. M. there were—

PRESENT :

*The Honorable JOHN B. ROBINSON, SPEAKER.*  
*The Honorable Mr. McDONELL,*

*The Honorable Mr. ELMSLEY,*

Members present.

The Speaker adjourned the House for want of a quorum.

No Quorum.

FRIDAY, 18th NOVEMBER, 1836.

The House met pursuant to adjournment.

House meets.

PRESENT :

*The Honorable JOHN B. ROBINSON, SPEAKER.*  
*The Hon. & Ven. The ARCHDEACON OF YORK.*  
*The Honorable Messrs. CAMERON,*  
" " MARKLAND,

*The Honorable Messrs. ALLAN,*  
" " McDONELL,  
" " ELMSLEY,

Members present.

Prayers were read.

The Minutes of the two last days were read.

The Honorable the Speaker brought in a bill, to provide more effectually for the punishment of certain Offences, and to enable the Governor, Lieutenant Governor, or Person Administering the Government of this Province, to commute the sentence of Death in certain cases, for other punishment in this bill mentioned.

Sentence of death commutation bill, brought in.

The said bill was then read; and it was,

Read first time.

Ordered, that the same be read a second time on Monday next.

A Deputation from the Commons House of Assembly brought up a bill entitled, "An Act granting a sum of money for the support of Common Schools"; to which they requested the concurrence of this House, and then withdrew.

Common School grant bill, brought up.

The said bill was then read; and it was,

Read first time.

Ordered, that the same be read a second time on Monday next.

The Honorable Mr. Elmsley brought up the petition of Henry Dalley and others, inhabitants of the District of London; which was laid on the table.

Petition of Henry Dalley, and others, brought up.

Pursuant to the order of the day, the petition of J. Parker, and others, inhabitants of the County of Hastings, praying for an Act authorising the erection of the same into a separate District; also the petition of the President, Directors and Company, of the Bank of Upper Canada, praying for an Act extending the Capital Stock of the said institution to £500,000; and also the petition of Robert Mellville, and others, inhabitants of the town of Niagara, and its vicinity, praying that the Government will take the Welland Canal under its direction, and make a cut from some suitable point on the said Canal to the mouth of the River Niagara; were severally read.

Petitions of J. Parker, and others;

President, &c. of the Bank of Upper Canada; and,

Robert Mellville, and others, read.

The Honorable Mr. Wells enters.

A Member enters.

Pursuant to the fifth standing Rule, the House was called.

House called.

PRESENT :

*The Honorable JOHN B. ROBINSON, SPEAKER.*  
*The Hon. & Ven. The ARCHDEACON OF YORK.*  
*The Honorable Messrs. WELLS,*  
" " CAMERON,

*The Honorable Messrs. MARKLAND,*  
" " ALLAN,  
" " McDONELL,  
" " ELMSLEY,

Members present.





Thursday, 24th November, 1836.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

THURSDAY, 24th NOVEMBER, 1836.

The House met pursuant to adjournment.

House meets.

PRESENT :

*The Honorable* JOHN B. ROBINSON, SPEAKER.  
*The Honorable Messrs.* ALLAN,  
" " McDONELL,  
" " ELMSLEY,

*The Honorable Messrs.* BALDWIN,  
" " ADAMSON,  
" " JOHN KIRBY,  
" " MORRIS,

Members present.

Prayers were read.

The Minutes of yesterday were read.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill to provide more effectually for the punishment of certain offences, and to enable the Governor, Lieutenant Governor, or Person Administering the Government of this Province, to commute the sentence of Death in certain cases, for other punishment in this bill mentioned.

Sentence of death commutation bill, committed.

The Honorable Mr. Morris took the Chair.

A message being announced the Chairman left the Chair, and the House formed.

Message from the Assembly.

The Honorable Mr. Wells enters.

A Member enters.

A Deputation from the Commons House of Assembly brought up several bills, to which they requested the concurrence of this House, and then withdrew.

Bills brought up.

The House was then again put into a Committee of the whole, upon the bill to provide more effectually for the punishment of certain offences, and to enable the Governor, Lieutenant Governor, or Person Administering the Government of this Province, to commute the sentence of Death in certain cases, for other punishment in this bill mentioned.

Sentence of death commutation bill, re-committed.

The Honorable Mr. Morris took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said bill into consideration, had made some progress therein, and asked leave to sit again to-morrow.

Reported and leave asked to sit again.

Ordered, that the report be received, and leave granted accordingly.

Leave granted.

The Honorable the Speaker reported to the House, that a Deputation from the Commons House of Assembly had brought up a bill, entitled, "An Act to establish a Bank at Brockville, in the District of Johnstown;" and also a bill entitled, "An Act to incorporate a Joint Stock Company under the style and title of the President, Directors and Company of the Grafton Harbour," to which they requested the concurrence of this House.

Speaker reports the receipt of Brockville Bank bill; and Grafton Harbour bill from the Assembly.

The said bills were then severally read; and it was,

Read first time.

Ordered, that the same be read a second time to-morrow.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill, entitled, "An Act granting a sum of money for the support of Common Schools."

Common School grant bill, committed.

The Honorable Mr. Baldwin took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said bill into consideration, had made some progress therein, and asked leave to sit again on Wednesday next.

Reported and leave asked to sit again.

Ordered, that the report be received, and leave granted accordingly.

Leave granted.

The Honorable Mr. Allan brought up the petition of the President and Directors of the Welland Canal Company; which was laid on the table.

Petitions of the President &c. of the Welland Canal Company;

The Honorable Mr. John Kirby brought up the petition of Owen Richards, Keeper of the Point Peter Light-house; also the petition of Joseph A. Keeler, and others, inhabitants of the Village of Colborne, and its vicinity; also the petition of Richard Hare, and others, inhabitants of the Village of Grafton; and also the petition of William Forsyth, and others, Freeholders and inhabitants of the Western District; which were laid on the table.

Owen Richards;  
Joseph A. Keeler, and others;  
Richard Hare, and others;  
William Forsyth, and others;

The Honorable Mr. Morris brought up the petition of Christopher James Bell, of Castleford; also the petition of Thomas Newson, and others, Freeholders and inhabitants of the County of Leeds; also the petition of N. Sparks, and others, inhabitants of certain townships in the Districts of Bathurst and Ottawa; also the petition of William Parker, of the township of Caledonia; and also the petition of H. Boyes, and others; which were laid on the table.

Christopher J. Bell;  
Thomas Newson, and others;  
N. Sparks, and others;  
William Parker;  
H. Boyes, and others; and,

The Honorable the Speaker brought up the petition of William H. Draper, Agent and Attorney for Messieurs Forsyth, Richardson and Company; which was laid on the table.

William H. Draper, brought up.

## Friday, 25th November, 1836.

## FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

Bill of Exchange Law amendment bill, brought in.	The Honorable the Speaker brought in a bill, to amend the Law respecting Bills of Exchange and Promissory Notes.
Read first time.	The said bill was then read; and it was, Ordered, that the same be read a second time to-morrow. On motion made and seconded, it was,
Committee appointed to superintend the Printing during the Session.	Ordered, that a Committee be appointed to superintend the Printing of this House during the present Session; and,
Members composing same.	Ordered, that the Honorable Messieurs Baldwin, Adamson, and Morris, do compose the same for that purpose. On motion made and seconded, it was,
Committee appointed to examine and report upon the Public Accounts.	Ordered, that a Select Committee be appointed to examine the Public Accounts of the present year, with power to send for persons and papers, and to report thereon; and,
Members composing same.	Ordered, that the Honorable Messieurs Elmsley, Baldwin, Adamson, and Morris, do compose the same for that purpose.
House adjourns.	On motion made and seconded, the House adjourned until to-morrow, at two of the clock, P.M.

## FRIDAY, 25th NOVEMBER, 1836.

House meets. The House met pursuant to adjournment.

## PRESENT :

Members present.	<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> BALDWIN,
	<i>The Honorable Messrs.</i> ALLAN,	" " ADAMSON,
	" " McDONELL,	" " JOHN KIRBY,
	" " ELMSLEY,	" " MORRIS,

Prayers were read.

The Minutes of yesterday were read.

Sentence of death commutation bill, recommitted. Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill to provide more effectually for the punishment of certain offences, and to enable the Governor, Lieutenant Governor, or Person Administering the Government of this Province, to commute the sentence of Death in certain cases, for other punishment in this bill mentioned.

The Honorable Mr. Morris took the Chair.

After some time the House resumed.

Reported. The Chairman reported, that the Committee had gone through the said bill, and had made some amendments thereto, and recommended the bill to the adoption of the House.

Adopted. Ordered, that the report be received; and,  
Ordered, that the said bill be engrossed, and the same read a third time on Monday next.

Brockville Bank bill, read second time. Pursuant to the order of the day, the bill entitled, "An Act to establish a Bank at Brockville, in the District of Johnstown," was read a second time.

Grafton Harbour bill, read second time. Pursuant to the order of the day, the bill entitled, "An Act to incorporate a Joint Stock Company, under the style and title of 'The President, Directors and Company, of the Grafton Harbour,'" was read a second time; and it was,

Ordered, that the House be put into a Committee of the whole on Tuesday next, to take the same into consideration.

Bill of Exchange Law amendment bill, read second time. Pursuant to the order of the day, the bill to amend the Law respecting Bills of Exchange and Promissory Notes, was read a second time; and it was,

Ordered, that the House be put into a Committee of the whole on Monday next, to take the same into consideration.

Petition of Joseph Whitney, and others, read. Pursuant to the order of the day, the petition of Joseph Whitney, and others, Owners and Masters of Vessels navigating the Lake Ontario, praying for an Act authorising the improvement of the Harbour of Port Windsor, was read.

Petitions of Adam H. Meyers, and others; The Honorable Mr. Allan brought up the petition of Adam Henry Meyers, for and on behalf of divers inhabitants of certain townships in the Newcastle and Midland Districts; which was laid on the table.

John Pearse, and others; Henry G. Hughes, and others; The Honorable Mr. Elmsley brought up the petition of John Pearse, and others, of Cobourg, in the District of Newcastle, Carpenters; also the petition of Henry G. Hughes, and others, in-

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SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

habitants of the township of Emily; and also the petition of William Cottingham, and others, inhabitants of the township of Emily; which were laid on the table. William Cottingham, and others;

The Honorable Mr. John Kirby brought up the petition of the President, and others, connected with the Bath School Society; which was laid on the table. President &c. of the Bath School Society;

The Honorable Mr. Morris brought up the petition of R. D. Hamilton, and others, Presbyterians residing in the township of Scarborough; which was laid on the table. R. D. Hamilton, and others; and,

The Honorable the Speaker brought up the petition of J. C. Grant, and others, inhabitants of the City of Montreal; which was laid on the table. J. C. Grant, and others, brought up.

The Honorable Mr. Wells enters. A Member enters.

A Deputation from the Commons House of Assembly brought up a bill entitled, "An Act granting to His Majesty a certain sum of money, to defray the expenses of the Civil Government, for the year one thousand eight hundred and thirty-six, and for other purposes therein mentioned;" and also a bill entitled, "An Act to authorise the erection of the County of Hastings into a separate District"; to which they requested the concurrence of this House, and then withdrew. Civil List bill; and, Hastings Division bill, brought up from the Assembly.

The said bills were then severally read; and it was, Read first time.

Ordered, that they be read a second time on Monday next.

The Honorable Mr. Baldwin brought up the petition of James M. Strachan, and others, Freeholders of the City of Toronto; which was laid on the table. Petition of James M. Strachan, and others, brought up.

On motion made and seconded, the House adjourned until Monday next. House adjourns.

MONDAY, 28th NOVEMBER, 1836.

The House met pursuant to adjournment. House meets.

PRESENT:

*The Honorable* JOHN B. ROBINSON, SPEAKER.

*The Honorable Messrs.* McDONELL,

" " ELMSLEY,

" " BALDWIN,

*The Honorable Messrs.* HAMILTON,

" " ADAMSON,

" " JOHN KIRBY.

" " MORRIS.

Members present.

Prayers were read.

The Honorable James Kerby came to the table, and took and subscribed the Oath prescribed by the Statute, 31st Geo. III. chap. 31st, pursuant to the third rule of the House. Hon. Mr. James Kerby takes the Oath prescribed by Law.

The Minutes of Friday last were read.

Pursuant to the order of the day, the bill to provide more effectually for the punishment of certain offences, and to enable the Governor, Lieutenant Governor, or Person Administering the Government of this Province, to commute the sentence of Death in certain cases, for other punishment in this bill mentioned, was read a third time and passed; and it was, Sentence of death commutation bill, read third time and passed.

Ordered, that the title be, "An Act to provide more effectually for the punishment of certain offences, and to enable the Governor, Lieutenant Governor, or Person Administering the Government of this Province, to commute the sentence of Death in certain cases, for other punishment in this Act mentioned." Title ordered.

Whereupon the Speaker signed the bill; and it was,

Ordered, that the same be sent to the Commons House of Assembly, by the Master in Chancery, for the concurrence of that House. Bill signed and sent to the Assembly for concurrence.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill to amend the Law respecting Bills of Exchange and Promissory Notes. Bill of Exchange Law amendment bill, committed.

The Honorable Mr. Elmsley took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said bill, and recommended the same to the adoption of the House. Reported.

Ordered, that the report be received; and, Adopted.

Ordered, that the said bill be engrossed, and the same read a third time to-morrow.

Pursuant to the order of the day, the bill entitled, "An Act granting to His Majesty a certain sum of money, to defray the expenses of the Civil Government, for the year one thousand eight hundred and thirty-six, and for other purposes therein-mentioned," was read a second time; and it was, Civil List bill, read second time; and,

Ordered, that the same be referred to the Select Committee upon the Public Accounts, with power to send for persons and papers, and to report thereon. referred to the Select Committee upon the Public Accounts.

Monday, 28th November, 1836.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

Hastings Division bill,  
read second time.

Pursuant to the order of the day, the bill entitled, "An Act to authorise the erection of the County of Hastings into a separate District," was read a second time; and it was,

Ordered, that the House be put into a Committee of the whole to-morrow, to take the same into consideration.

Petitions of Adam  
Henry Meyers, and  
others;

Pursuant to the order of the day, the petition of Adam Henry Meyers, for and on behalf of divers inhabitants of certain townships in the Newcastle and Midland Districts, praying for a general division of the Province, and that the Hastings Division bill, as passed by the Assembly, may not receive the sanction of the Legislative Council; also the petition of John Pearse, and others, of Cobourg, in the District of Newcastle, Carpenters, praying for relief; also the petition of Henry G. Hughes, and others, inhabitants of the township of Emily, praying for a grant of money to be expended in improving the road from the said township to Peterboro'; also the petition of William Cottingham, and others, inhabitants of the township of Emily, praying for the erection of a bridge over the Pigeon River, at the Village of Williamstown; also the petition of the President, and others, connected with the Bath School Society, praying for aid, and that their Act of incorporation may be so far amended as to render the Society accountable to the Legislature; also the petition of R. D. Hamilton, and others, Presbyterians residing in the township of Scarborough, praying for a repeal or modification of the Act instituting Rectories in this Province, and that each religious sect of Christians may receive an equal share of the proceeds of the sale of the Clergy Reserves; also the petition of J. C. Grant, and others, inhabitants of the City of Montreal, on the subject of the political differences existing in Lower Canada; and also the petition of James M. Strachan, and others, Freeholders of the City of Toronto, praying for an Act of incorporation, establishing a Bank, under the style and title of the Freeholder's Bank of Upper Canada; were severally read.

John Pearse, and  
others;  
Henry G. Hughes,  
and others;

William Cottingham,  
and others;

President, and others,  
connected with the  
Bath School Society;

R. D. Hamilton, and  
others;

J. C. Grant, and  
others; and,

James M. Strachan,  
and others, read.

A Member enters.

The Honorable and Venerable the Archdeacon of York enters.

Petitions of the Hon.  
George H. Markland,  
and another; and,  
Thomas Butler, and  
others, brought up.  
Petitions of Thomas  
Carr, and others;  
John Sawers, and  
others;  
Ebenezer Reynolds,  
and others; and,  
Benjamin Throop, and  
others, brought up.

The Honorable Mr. Hamilton brought up the petition of the Honorable George H. Markland, and another; and also the petitions of Thomas Butler, and others, inhabitants of the District and Town of Niagara; which were laid on the table.

The Honorable Mr. John Kirby brought up the petition of Thomas Carr, and others, inhabitants of the townships in the rear part of the Newcastle District; also the petition of John Sawers, and other inhabitants of the Newcastle District; also the petition of Ebenezer Reynolds, and others, inhabitants of the County of Essex; and also the petition of Benjamin Throop, and others, inhabitants of the District of Newcastle; which were laid on the table.

On motion made and seconded; it was,

Members summoned.

Ordered, that the Members not in Town be summoned to attend in their places in the House, this day fortnight.

Petition of the Arch-  
deacon of Kingston,  
and another, brought  
up.

The Honorable and Venerable the Archdeacon of York, brought up the petition of the Venerable the Archdeacon of Kingston, and another; which was laid on the table.

Report of the Select  
Committee appointed  
to inspect the works  
of the Welland Canal  
Company, presented.  
Read.

The Honorable Mr. Morris, from the Select Committee appointed to inspect the works of the Welland Canal Company, presented their Report.

Ordered, that it be received; and,

The same was then read by the Clerk, as follows:—

#### REPORT,

*Of the Select Committee appointed to inspect the works of the Welland Canal.*

MEMBERS—THE HONORABLE MESSIEURS BALDWIN,  
JOHN KIRBY,  
MORRIS.

TO THE HONORABLE THE LEGISLATIVE COUNCIL:

The Select Committee appointed to inspect the works of the Welland Canal, from Port Dalhousie, on Lake Ontario, to Port Colborne, on Lake Erie, beg leave to inform Your Honorable House, that in compliance with the desire expressed in the resolution of the 15th instant, they proceeded to the Harbour at the mouth of the Twelve-mile Creek, now known as Port Dalhousie, from whence they followed the Towing-path, wherever it was practicable, to the summit level at Port Robinson, examining the several Locks within that distance. Your Committee found many of the Locks in good order, and apparently as well able to bear the pressure of another year's use as they ever were; but being constructed of timber, which has already undergone the exposure to the weather of eight or ten years, they cannot be expected, in the common course of things, to endure a great while longer. Seven of the Locks were under

The Report.

Monday, 28th November, 1836.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

repair, and such is the state of dilapidation into which they have fallen, in consequence of the perishable nature of timber exposed to all weathers in this climate, that it is found necessary to raze nearly the whole work to the very foundation, and how soon many other Locks will become as unfit for use it is impossible to foresee; but the condition of those which are undergoing repair or re-building, leave little ground for hope that any of the wooden Locks on that important communication, will continue serviceable longer than two or three seasons at farthest.

The estimated expense of the repairs now in operation is £14,000: but as the work had necessarily to be undertaken after the close of the navigation, and as it must be carried on in the depth of winter, Your Committee cannot believe that it is possible for the Engineer to substitute workmanship of a permanent or durable kind, without encroaching on the season for navigation, the consequences of which the Directors of the Company are laudably anxious to prevent.

This heavy expenditure may, therefore, be considered in no other light than a liberal sacrifice of money to protect the shipping interests of both Lakes, and the Commercial as well as Agricultural prosperity of the Province; for it cannot be denied, that unless immediate steps are taken to construct stone Locks in place of those now in use, the navigation must close for ever, and nearly all the advantages of the Canal, from the top of the mountain to Lake Eric and the Grand River, will be lost to the public.

From Port Robinson, Your Committee proceeded by a packet-boat to the Harbour at Port Colborne, and they have great pleasure in stating that the Canal is every where in excellent order, and the Harbour far more convenient and safe for the entrance of Vessels than they had previously any idea of. It however appeared to Your Committee, that if the inhabitants are long permitted to use the Towing-path as a highway for waggons and carts, that serious injury will be done to the Canal.

After looking at all the works in this quarter, Your Committee returned to that part of the Canal which is connected with the Cut to the Grand River, commonly called the "Feeder," but which, in reality, is a spacious Canal of forty feet wide at the surface, four feet deep, and twenty-two miles long, running in a direct line to the Grand River at Dunnville, where a Village of considerable extent has already sprung up, destined, at no distant day, to be a place of great commercial importance.

The Dam thrown across the Grand River at this place, not only raises its waters to the level of the Welland Canal, but gives a good navigation up this River, a distance of twenty-four miles, to the Village of Indiana: thus forming a level of upwards of sixty miles—perhaps the greatest on this Continent. Here the Grand River Navigation Company have erected a substantial stone Lock, of eleven feet lift, and excavated a Canal of two miles in length. Your Committee, considering the improvements on the Grand River intimately connected with the Welland Canal, as they in fact continue the navigation fifty miles through the richest lands in the Province, to within a short distance of Brantford, resolved to ascend that stream, and understand, by personal observation, the manner in which the Locks have been constructed by the Grand River Company, in order to ascertain how far it might be prudent to build Locks of a similar description, to descend the mountain, should the Legislature see fit to recommend the undertaking of a work of such magnitude, at the public expense; and Your Committee find it a gratifying duty to bear testimony to the satisfactory appearance of all the Locks, Dams and other works, which they examined on that beautiful River, and there cannot exist a doubt, from the durable nature of the materials, and the substantial manner in which the work has been executed, that the Stockholders will ere long derive a pleasing return for their outlay, and the trade of that part of the country be benefitted to an incalculable extent.

Your Committee forbear giving any opinion as to the expediency of making the Welland Canal wholly a Provincial work, but choose rather to reserve any further observations on this important subject, until the accounts recently submitted for the consideration of the Legislature, have been more fully examined.

All which is respectfully submitted,

(Signed,)

W. MORRIS,

CHAIRMAN.

*Committee Room, Legislative Council,*

Twenty-fifth November, 1836.

Tuesday, 29th November, 1836.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

House adjourns. On motion made and seconded, the House adjourned.

TUESDAY, 29th NOVEMBER, 1836.

House meets. The House met pursuant to adjournment.

PRESENT :

Members present.	<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> HAMILTON,
	<i>The Honorable Messrs.</i> ALLAN,	“ “ ADAMSON,
	“ “ McDONELL,	“ “ JAMES KERBY,
	“ “ ELMSLEY,	“ “ JOHN KIRBY,
	“ “ BALDWIN,	“ “ MORRIS.

Prayers were read.

The Minutes of yesterday were read.

Bill of Exchange Law amendment bill, read a third time and passed.

Title ordered.

Pursuant to the order of the day, the bill to amend the Law respecting Bills of Exchange and Promissory Notes, was read a third time and passed; and it was,

Ordered, that the title be, “An Act to amend the Law respecting Bills of Exchange and Promissory Notes.”

Bill signed and sent to the Assembly for concurrence.

Whereupon the Speaker signed the bill; and it was.

Ordered, that the same be sent to the Commons House of Assembly, by the Master in Chancery, for the concurrence of that House.

Grafton Harbour bill, committed.

Pursuant to the order of the day, the House was put into a Committee of the whole upon the bill entitled, “An Act to incorporate a Joint Stock Company, under the style and title of the President, Directors and Company, of the Grafton Harbour.”

The Honorable Mr. Allan took the Chair.

After some time the House resumed.

Reported, and referred to a Select Committee.

The Chairman reported, that the Committee had taken the said bill into consideration, had made some progress therein, and recommended that the same be referred to a select Committee, with power to send for persons and papers, and to report thereon by amendment or otherwise.

Ordered, that the report be received; and,

Ordered, that the said bill be referred to a select Committee, with power to send for persons and papers, and to report thereon by amendment or otherwise; and,

Members composing same.

Ordered, that the Honorable Messieurs John Kirby and James Kerby, do compose the same for that purpose.

Hastings Division bill, committed.

Pursuant to the order of the day, the House was put into a Committee of the whole upon the bill entitled, “An Act to authorize the erection of the County of Hastings into a separate District.”

The Honorable Mr. Adamson took the Chair.

After some time the House resumed.

Reported, and referred to a Select Committee.

The Chairman reported, that the Committee had taken the said bill into consideration, had made some progress therein, and recommended that the same be referred to a select Committee, with power to send for persons and papers, and to report thereon by amendment or otherwise.

Ordered, that the report be received; and,

Ordered, that the said bill be referred to a select Committee, with power to send for persons and papers, and to report thereon by amendment or otherwise; and,

Members composing same.

Ordered, that the Honorable Messieurs Hamilton, James Kerby, and Morris, do compose the same for that purpose.

Petitions of Charles Baker, and others;

The Honorable Mr. Elmsley brought up the petition of Charles Baker, and other inhabitants of the City of Toronto, and its vicinity; and also the petition of the President and Directors of the London and Gore Rail Road Company; which were laid on the table.

The President and Directors of the London and Gore Railroad Company; James Fortier; and, William Pringle, and others; brought up.

The Honorable Mr. Hamilton brought up the petition of James Fortier, of the township of Toronto; which was laid on the table.

The Honorable Mr. Baldwin brought up the petition of William Pringle, and others, of the township of King; which was laid on the table.

Messages from the Lieut. Governor;

Several Messages from His Excellency the Lieutenant Governor, were delivered by Mr. Secretary Joseph, who being retired, the Speaker read the same; and they were again read by the Clerk as follows:

Wednesday, 30th November, 1836.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

F. B. HEAD.

The Lieutenant Governor transmits to the Legislative Council, a copy of a Despatch he has recently received from the Secretary of State for the Colonies, announcing that His Majesty has assented to the several bills, which for reasons approved of by His Majesty, the Lieutenant Governor had reserved for the Royal Assent. With respect to some of the most important of these measures, the Lieutenant Governor submits to the Legislative Council, whether a re-consideration of their provisions may not possibly lead to some modifications of them, which may accord with the sentiments expressed by the Legislative Council, during the present Session, and with the conviction which the Lieutenant Governor believes to be very generally entertained, respecting the inexpediency of expending large sums of public money through the agency of a multitude of irresponsible Commissioners.

Transmitting a copy of a Despatch announcing His Majesty's assent to the several bills reserved at the last Session.

As the season of the year will prevent some of these measures from being immediately acted upon, an opportunity is afforded for deliberation on this subject.

*Government House,*

28th November, 1836.

(For copy of the Despatch—See Appendix A.)

F. B. HEAD,

The Lieutenant Governor transmits to the Legislative Council, a copy of a Despatch received by him from the Secretary of State for the Colonies, with reference to the Address of the Legislative Council of the last Session to the King, relative to the complaint of the late House of Assembly against the Legislative Council.

Transmitting a copy of a Despatch, on the subject of the Address of the Legislative Council to the King, relative to a complaint of the late House of Assembly.

10th August, 1836.

*Government House,*

28th November, 1836.

(For copy of the Despatch—See Appendix B.)

F. B. HEAD.

The Lieutenant Governor transmits to the Legislative Council, the accompanying copy of the Report of the Commissioners of the Saint Lawrence Canal, for the year 1836.

Transmitting a copy of a Report of the Commissioners of the St. Lawrence Canal.

*Government House,*

28th November, 1836.

On motion made and seconded, it was,

Ordered, that an Address be presented to His Excellency the Lieutenant Governor, respectfully thanking him for his several Messages received this day, transmitting the copies of Despatches, announcing the assent of His Majesty to various bills passed during the last Session, and relating to the Address of the Legislative Council to the King, at the same Session, on the subject of a complaint made by the late House of Assembly, and a Report of the Commissioners of the Saint Lawrence Canal; and,

Address of thanks ordered to be presented for the same.

Ordered, that the Honorable Messieurs Elmsley and Hamilton, do present the same.

Members appointed for that purpose. Convicts' transportation bill; and White's Trustee bill, brought in.

The Honorable the Speaker brought in a bill to authorise the transporting of Offenders; and also a bill to appoint Trustees to carry into effect the provisions of the Will of John White, Esquire, deceased.

The said bills were then severally read; and it was,

Read first time.

Ordered, that they be read a second time to-morrow.

On motion made and seconded, the House adjourned.

House adjourns.

WEDNESDAY, 30th NOVEMBER, 1836.

The House met pursuant to adjournment.

House meets.

PRESENT :

*The Honorable* JOHN B. ROBINSON, SPEAKER.  
*The Honorable Messrs.* McDONELL,  
" " HAMILTON,  
" " JAMES KERBY.

*The Honorable Messrs.* JOHN KIRBY,  
" " CROOKS,  
" " MORRIS.

Members present.

Prayers were read.

The Minutes of yesterday were read.



Wednesday, 30th November, 1836.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

Common School grant bill, struck off the order of the day.

The order of the day being read for the House to be put into a Committee of the whole upon the bill entitled, "An Act granting a sum of money for the support of Common Schools;" it was,

Ordered, that the said bill be struck off the order of the day.

Convicts' transportation bill, read a second time.

Pursuant to the order of the day, the bill to authorise the transporting of Offenders, was read a second time, and it was,

Ordered, that the House be put into a Committee of the whole to-morrow, to take the same into consideration.

White's Trustee bill, read second time.

Pursuant to the order of the day, the bill to appoint Trustees to carry into effect the provisions of the Will of John White, Esquire, deceased, was read a second time, and it was,

Ordered, that the House be put into a Committee of the whole to-morrow, to take the same into consideration.

Petitions of the Hon. George H. Markland, and another; Thomas Butler, and others;

Pursuant to the order of the day, the petition of the Honourable G. H. Markland, and another, praying for an Act authorising the incorporation of a Loan and Trust Company; also the petitions of Thomas Butler, and others, inhabitants of the District and Town of Niagara, respectively praying for the incorporation of a Banking Company in the District of Niagara, and for an Act authorising the establishment of a Board of Police in the Town of Niagara; also the petition of Thomas Carr, and others, inhabitants of the townships in the rear part of the District of Newcastle, praying to be set apart as a separate District, with Peterborough as the chief Town thereof, or for a general division of the Province into new Districts; also the petition of John Savers, and others, inhabitants of the District of Newcastle, praying for an Act granting a sum of money for the purpose of improving the inland waters of the said District; also the petition of Ebenezer Reynolds, and others, inhabitants of the County of Essex, in the Western District, praying for an Act enabling persons, not being subjects of His Majesty, to hold Real Estate in free and common socage; also the petition of Benjamin Throop, and others, inhabitants of the Newcastle District, praying for the establishment of a Bank at Cobourg, in the said District; and also the petition of the Venerable the Archdeacon of Kingston, and another, praying for an Act authorising the introduction of an additional column in the Rolls for the next Census, in order that the religious persuasions of the inhabitants of this Province may be inserted therein, were read.

Thomas Carr, and others;

John Savers, and others;

Ebenezer Reynolds, and others;

Benjamin Throop, and others; and

The Ven. the Archdeacon of Kingston, and another, read.

Petitions of Charles Hill, and others; Members of the Scotch Church at Streetsville; Members of the Scotch Church at Oakville and Sixteen Hollow; President &c. of the Desjardins Canal Company; President &c. of the Cobourg Rail Road Company; and Jacob S. Shoemaker, and others, brought up.

The Honourable Mr. Crooks brought up the petition of Charles Hill, and others, inhabitants of the townships of Bertie and Humberstone; also the petition of the Minister, Elders, Members and Supporters of the United Congregations of Oakville and Sixteen Hollow, in connexion with the Synod of Canada, and Church of Scotland; also the petition of John Proudfoot, and others, Ministers, Elders, and Trustees of the Presbyterian Church, at Streetsville, in connexion with the Church of Scotland; also the petition of the President and Directors of the Desjardins Canal Company; also the petition of the President and Directors of the Cobourg Rail Road Company; and also the petition of Jacob S. Shoemaker, and others, inhabitants of the western parts of the County of Halton; which were laid on the table.

A Member enters.

The Honourable Mr. Baldwin enters.

Report of the Select Committee upon Grafton Harbour bill, presented.

The Honourable Mr. John Kirby, from the Select Committee to whom was referred the bill entitled, "An Act to incorporate a Joint Stock Company, under the style and title of the President, Directors and Company, of the Grafton Harbour," presented their Report.

Ordered, that it be received; and,

Read.

The same was then read by the Clerk, as follows:—

The Report.

The Select Committee to whom was referred the bill sent up from the Assembly, entitled, "An Act to incorporate a Joint Stock Company, under the style and title of the President, Directors and Company, of the Grafton Harbour," beg leave to Report—

That they have carefully examined the various provisions contained in the said bill, and find them to correspond exactly with those embraced in the bill sent up to your Honourable House last Session, except that in the present bill there is a proviso empowering the Directors to take toll upon articles not enumerated in the bill, after the rates specified therein; and in the present bill, the amount of stock is ten thousand, instead of five thousand pounds.

All which is respectfully submitted,

(Signed)

JOHN KIRBY.

Legislative Council Committee Room,

Thirtieth day of November, 1836.

Thursday, 1st December, 1836.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

On motion made and seconded, it was,

Ordered, that the said bill and the report thereon be referred to a Committee of the whole House to-morrow.

The Honorable the Speaker brought in a bill, for the further amendment of the Law, and the better advancement of Justice. Justice advancement bill brought in.

The said bill was then read; and it was,

Read first time.

Ordered, that the same be read a second time to-morrow.

On motion made and seconded, the House adjourned.

House adjourns.

THURSDAY, 1st DECEMBER, 1836.

The House met pursuant to adjournment.

House meets.

PRESENT :

*The Honorable* JOHN B. ROBINSON, SPEAKER.

*The Honorable Messrs.* JAMES KERBY.

Members present.

*The Honorable Messrs.* McDONELL,

" " JOHN KIRBY.

" " ELMSLEY,

" " CROOKS,

" " BALDWIN,

" " MORRIS,

" " HAMILTON.

Prayers were read.

The Minutes of yesterday were read.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill to authorise the transporting of Offenders. Convicts' transportation bill committed.

The Honorable Mr. James Kerby took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said bill into consideration, had made some progress therein, and asked leave to sit again to-morrow. Reported and leave asked to sit again.

Ordered, that the report be received, and leave granted accordingly. Leave granted.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill to appoint Trustees to carry into effect the provisions of the Will of John White, Esquire, deceased. White's Trustee bill, committed.

The Honorable Mr. John Kirby took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said bill, and recommended the same to the adoption of the House. Reported.

Ordered, that the report be received; and,

Adopted.

Ordered, that the said bill be engrossed, and read a third time to-morrow.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to incorporate a Joint Stock Company, under the style and title of the President, Directors and Company of the Grafton Harbour," together with the report of the Select Committee thereon. Grafton Harbour bill, recommitted.

The Honorable Mr. Crooks took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said bill, and recommended the same without any amendment to the adoption of the House. Reported.

Ordered, that the said report be received; and,

Adopted.

Ordered, that the said bill be read a third time to-morrow.

Pursuant to the order of the day, the bill for the further amendment of the Law, and the better advancement of Justice, was read a second time, and it was,

Justice advancement bill, read second time.

Ordered, that the House be put into a Committee of the whole to-morrow, to take the same into consideration.

Pursuant to the order of the day, the petition of Charles Baker, and others, inhabitants of the City of Toronto, and its vicinity, praying for an amendment to the Court of Requests Law; also the petition of the President and Directors of the London and Gore Rail Road Company, praying for an Act amending, altering and extending their present Charter; also the petition of James Fortier, of the township of Toronto, praying for relief; and also the petition of William Pringle, and others, of the township of King, praying for a repeal of the Act authorising a new survey in the said Township, and for a confirmation of the original survey, were read. Petitions of Charles Baker, and others; President, &c. of the London and Gore Rail-road Company; James Fortier; and, William Pringle, and others; read.

Friday, 2nd December, 1836.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

Petition of the Members of the Scotch Church at Lancaster; and,	The Honorable Mr. Morris brought up the petition of the Minister, Elders and Congregation of Lancaster, in connection with the Established Church of Scotland; which was laid on the table.
Of the Scotch Church at Hamilton, brought up.	The Honorable Mr. Crooks brought up the petition of the Minister, Elders, Managers and Congregation of the Presbyterian Church of Hamilton, in connection with the Church of Scotland; which was laid on the table.
Resolution moved for authorising the Clerk to open an account with the Post Office, for the postage of letters to and from Members.	It was moved and seconded that it be. <i>Resolved</i> —That the Clerk be instructed to open an account with the Post Office, for the postage of all Letters and Packets to and from Members of this House, during each Session of the Legislature, and that the amount thereof be included in his contingent account.
Read second time and adopted	The said resolution being read a second time, and the question of concurrence put thereon, it was carried in the affirmative, and it was, Ordered accordingly.
Quarter Sessions time and place appointment bill, brought in.	The Honorable the Speaker brought in a bill, to appoint the time and place for holding the Court of General Quarter Sessions of the Peace, in each of the several Districts of this Province, and to repeal the several Laws now in force for that purpose.
Read first time.	The said bill was then read; and it was, Ordered, that the same be read a second time to-morrow.
House adjourns.	On motion made and seconded, the House adjourned.

FRIDAY, 2nd DECEMBER, 1836.

House meets. The House met pursuant to adjournment.

PRESENT :

Members present.	<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> JAMES KERBY,
	<i>The Honorable Messrs.</i> McDONELL,	“ “ JOHN KIRBY,
	“ “ ELSLEY,	“ “ CROOKS,
	“ “ BALDWIN,	“ “ MORRIS,

Prayers were read.

The Minutes of yesterday were read.

White's Trustee bill, read third time, and passed.

Pursuant to the order of the day, the bill to appoint Trustees to carry into effect the provisions of the Will of John White, Esquire, deceased, was read a third time and passed; and it was,

Title ordered. Ordered, that the title be, An Act to appoint Trustees to carry into effect the provisions of the Will of John White, Esquire, deceased:

Bill signed, Whereupon the Speaker signed the bill; and it was,

And sent to the Assembly for concurrence. Ordered, that the same be sent, by the Master in Chancery, to the Commons House of Assembly, for the concurrence of that House.

Grafton Harbour bill, read third time and passed.

Pursuant to the order of the day, the bill entitled, “An Act to incorporate a Joint Stock Company, under the style and title of the President, Directors and Company, of the Grafton Harbour”; was read a third time and passed:

Same signed, Whereupon the Speaker signed the same; and it was,

And the Assembly acquainted thereof. Ordered, that the Master in Chancery do go down to the Assembly and acquaint that House, that the Legislative Council has passed this bill without any amendment.

Message from the Assembly. A Deputation from the Commons House of Assembly, brought up and delivered at the Bar of this House, a Message in the following words, and then withdrew.

MR. SPEAKER,

Communicating a copy of a Report on the subject of the division of Districts.

The Commons House of Assembly communicate to the Honorable the Legislative Council, a copy of a Report made by a Select Committee, and adopted by the House, on the subject of the division of Districts, and respectfully request that the Honorable the Legislative Council will appoint a Committee to co-operate with the Committee of that House on the subject.

(Signed)

ARCHIBALD McLEAN,  
SPEAKER.

Commons House of Assembly,  
1st day of December, 1836.

(For the Copy—See Appendix C.)

Friday, 2nd December, 1836.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill for the further amendment of the Law, and the better advancement of Justice. Justice advancement bill, committed.

The Honorable Mr. Elmsley took the Chair.

A Message being announced the Chairman left the Chair, and the House formed.

Several Messages from His Excellency the Lieutenant Governor were delivered by Mr. Secretary Joseph, who being retired, the Speaker read the same, and they were again read by the Clerk, as follows: Messages from the Lieut. Governor;

F. B. HEAD.

The Lieutenant Governor transmits for the information of the Legislative Council, the accompanying Return from the Receiver General, showing the amount of monies raised by Debentures, under the provisions of various Provincial Enactments—the amount redeemed, and the amount outstanding. Transmitting a Return of Debentures from the Receiver General.

*Government House,*

2nd December, 1836.

F. B. HEAD,

The Lieutenant Governor transmits for the information of the Legislative Council, copies of such Reports as have been received since the last Session of the Provincial Parliament, relative to the Gaols and Prisons in the Province. Transmitting copies of Reports relative to Gaols and Prisons.

*Government House,*

2nd December, 1836.

F. B. HEAD,

The Lieutenant Governor transmits for the information of the Legislative Council, a copy of the Report received from the Inspectors of the Provincial Penitentiary, for the year 1836. Transmitting a copy of the Report from the Inspectors of the Provincial Penitentiary.

*Government House,*

2nd December, 1836.

F. B. HEAD,

The Lieutenant Governor transmits for the information of the Legislative Council, the accompanying copy of a Despatch, and of its enclosure, received from the Secretary of State for the Colonies, expressive of His Majesty's sentiments on the subject of Orange Lodges. Transmitting a copy of a Despatch, on the subject of Orange Lodges.

*Government House,*

2nd December, 1836.

*(For Copy of the Despatch—See Appendix D.)*

The House was then again put into a Committee of the whole, upon the bill for the further amendment of the Law, and the better advancement of Justice. Justice advancement bill, recommitted.

The Honorable Mr. Elmsley took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said bill into consideration, had made some progress therein, and asked leave to sit again on Tuesday sennight. Reported and leave asked to sit again.

Ordered, that the Report be received, and leave granted accordingly; and,

Leave granted.

Ordered, that one hundred copies of the bill be in the mean time printed for the use of Members. Bill ordered to be printed.

On motion made and seconded; it was,

Ordered, that the resolutions of this House on the subject of petitions and private bills, passed on the twentieth day of April last, be communicated by Message to the Commons House of Assembly, for the information of that House. Resolutions of the 20th April last on the subject of petitions and private bills communicated to the Assembly.

On motion made and seconded; it was,

Ordered, that an Address be presented to the Lieutenant Governor, respectfully thanking His Excellency for his several Messages received this day, transmitting a Return by the Receiver General, of Debentures; copies of Reports relative to Gaols and Prisons in this Province; a copy of the Report from the Inspectors of the Provincial Penitentiary; and a copy of a Despatch on the subject of Orange Lodges; and, Address of thanks ordered to be presented to His Excellency for his Messages of to-day.

Ordered, that the Honorable Messieurs Baldwin and John Kirby, do present the same.

Committee appointed therefor—Convicts' transportation bill, re-committed.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill to authorise the transporting of Offenders.

## Friday, 2nd December, 1836.

## FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

The Honorable Mr. James Kerby took the Chair.

After some time the House resumed.

Reported.

The Chairman reported, that the Committee had gone through the said bill, and recommended the same to the adoption of the House.

Adopted.

Ordered, that the report be received; and,

Ordered, that the said bill be engrossed, and read a third time on Monday next.

Quarter Sessions time and place appointment bill, read second time.

Pursuant to the order of the day, the bill to appoint the time and place for holding the Court of General Quarter Sessions of the Peace, in each of the several Districts of this Province, and to repeal the several Laws now in force for that purpose, was read a second time; and it was,

Ordered, that the House be put into a Committee of the whole on Monday next, to take the same into consideration.

On motion made and seconded; it was,

Committee appointed to meet a Committee of the Assembly, on the subject of the division of Districts.

Ordered, that in compliance with the request of the Commons House of Assembly, received by message this day, a Committee be appointed on the part of this House, to meet a Committee on the part of the Commons House of Assembly, on the subject of the division of Districts; and,

Members composing same.

Ordered, that the Honorable Messieurs Elmsley, Baldwin, James Kerby, John Kirby, Crooks and Morris, be the Committee on the part of this House, for that purpose; and,

And the Assembly acquainted thereof.

Ordered, that the Master in Chancery do go down to the Assembly and acquaint that House, that the Legislative Council, in compliance with the request of the Commons House of Assembly, received by message this day, has appointed the Honorable Messieurs Elmsley, Baldwin, James Kerby, John Kirby, Crooks and Morris, to be a Committee on the part of this House, on the subject of the division of Districts, who will be ready to meet a Committee on the part of the Commons House of Assembly, on Monday next, at the hour of ten of the clock in the forenoon, in the Committee Room of the Legislative Council, for that purpose.

Petitions of the President and Directors of the Welland Canal Company;

Owen Richards; Joseph A. Keeler, and others;

Richard Hare, and others;

William Forsyth, and others;

Christopher J. Bell;

Thomas Newson, and others;

N. Sparks, and others;

William Parker;

H. Boyes, and others;

William H. Draper,

Charles Hill, and others;

Members of the Scotch Church at Oakville and Sixteen Hollow;

Members of the Scotch Church at Streetsville;

President and Directors of the Desjardins Canal Company; President and Directors of the Cobourg Rail Road Company; and, Jacob Shoemaker, and others, read.

Pursuant to the order of the day, the petition of the President and Directors of the Welland Canal Company, praying for an Act recognising the said Canal as a public work; also the petition of Owen Richards, Keeper of the Point Peter Light-house, praying for an increase of salary; also the petition of Joseph A. Keeler, and others, inhabitants of the Village of Colborne, and its vicinity, praying for an Act authorising the construction of a Harbour near the said Village, by a Joint Stock Company, with a capital of £2,000; also the petition of Richard Hare, and others, inhabitants of the Village of Grafton, praying for an Act authorising the construction of a Harbour or Wharf in the said Village, by a Joint Stock Company; also the petition of William Forsyth, and others, Freeholders and inhabitants of the Western District, praying for an Act establishing a Bank at Sandwich; also the petition of Christopher James Bell, of Castleford, praying for an Act authorising him to collect tolls on timber &c. passing on certain inclined planes erected on his property; also the petition of Thomas Newson, and others, Freeholders and inhabitants of the County of Leeds, praying for an Act incorporating a Joint Stock Company, for the improvement of the navigation of the River Saint Lawrence, and Rideau Canal; also the petition of N. Sparks, and others, inhabitants of certain townships in the Districts of Bathurst and Ottawa, praying to be erected into a separate District, with Bytown as its capital; also the petition of William Parker, of the township of Caledonia, praying for an Act incorporating a Company under the style and title of the Caledonia Springs Company; also the petition of H. Boyes, and others, praying for an Act granting a sum of money for improving the Harbour of Port Windsor; also the petition of William H. Draper, Agent and Attorney for Messieurs Forsyth, Richardson, and Company, praying for an Act appointing a Trustee or Trustees to carry into effect the Will of the late John White, Esquire, deceased; also the petition of Charles Hill, and others, inhabitants of the townships of Bertie and Humberstone, praying for an Act appointing Commissioners to settle the survey of the said townships; also the petition of the Minister, Elders, Members and Supporters of the united congregations of Oakville and Sixteen Hollow, in connection with the Synod of Canada, and Church of Scotland; and of John Proudfoot, and others, Minister, Elders, and Trustees of the Presbyterian Church, at Streetsville, in connection with the Church of Scotland, respectively praying that the said Church may be allowed to participate in the proceeds of the sale of the Clergy Reserves, and also praying against the establishment of Rectories in this Province; also the petition of the President and Directors of the Desjardins Canal Company, praying for a further loan of £6,000; also the petition of the President and Directors of the Cobourg Rail Road Company, praying for a loan of £10,000, upon securing the completion of the work, and the repayment of the money, and interest thereon; and also the petition of Jacob S. Shoemaker,

Friday, 2nd December, 1836.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

and others, inhabitants of the Western parts of the County of Halton, praying for a loan of money for the purpose of Macadamizing the road between the Village of Dundas and the centre lot in the township of Waterloo, upon security of the tolls; were severally read.

The Honorable Mr. Crooks brought up the petition of the President and Directors of the London and Gore Rail-road Company; also the petition of the President and Directors of the Gore Bank; also the petition of John Haycock, and others, inhabitants of Hamilton, Ancaster, Brantford and vicinity; and also the petition of Thomas Cornwell, and others, inhabitants of the township of Norwich; which were laid on the table.

Petitions of the President and Directors of the London and Gore Rail Road Company; President and Directors of the Gore Bank; John Haycock, and others; Thomas Cornwell, and others; Timothy J. Farr, and others; and

The Honorable Mr. Elmsley brought up the petition of Timothy J. Farr, and others, inhabitants of the District of London; which was laid on the table.

The Honorable Mr. Morris brought up the petition of David Sherman, and others, inhabitants of the townships of Chatham and Camden; which was laid on the table.

David Sherman, and others, brought up.

The Honorable the Speaker brought in a bill to abolish the distinction between Grand and Petit Larceny, and to enable the Courts of General Quarter Sessions of the Peace, and any Court having the like powers, to try all cases of Simple Larceny, under certain restrictions, and to amend the laws respecting the punishment of Larceny.

Quarter Sessions jurisdiction extension bill, brought in.

The bill was then read; and it was,

Read first time.

Ordered, that the same be read a second time on Monday next.

The Honorable Mr. Elmsley, from the Select Committee to whom was referred the bill entitled, "An Act granting to His Majesty a certain sum of money to defray the expenses of the Civil Government, for the year one thousand eight hundred and thirty-six, and for other purposes therein mentioned"; presented their Report.

Report of the Select Committee upon Civil List bill, presented.

Ordered, that it be received; and,

The same was then read by the Clerk, as follows:—

Read.

The Select Committee, to whom was referred the bill sent up from the Commons House of Assembly, entitled, "An Act granting to His Majesty a certain sum of money to defray the expenses of the Civil Government, for the year one thousand eight hundred and thirty-six, and for other purposes therein mentioned," respectfully Report:

The Report.

That they have compared this Bill, with that of 1835 in particular, and generally with those of previous years, and they find a material increase in almost all the salaries, and other items of expenditure, to which they deem it their duty to draw the attention of your Honorable House, as follows:

1835.

Government Office, . . . . .	£883	0	0
Contingencies of ditto, . . . . .	700	0	0
Executive Council Office, . . . . .	420	0	0
Contingencies of ditto, . . . . .	125	0	0
Receiver General's Office, . . . . .	500	0	0
Contingencies of ditto, . . . . .	50	0	0
Inspector General's Office, . . . . .	420	0	0
Contingencies of ditto, . . . . .	50	0	0
Surveyor General's Office, . . . . .	1190	0	0
Contingencies of Public Offices, . . . . .	400	0	0
Deputy Secretary and Registrar, . . . . .	0	0	0
Attorney General, . . . . .	750	0	0
Solicitor General, . . . . .	375	0	0
Printing Statutes for 1834, . . . . .	556	0	0
Usher and Keeper of the Court of King's Bench, . . . . .	0	0	0
	<hr/>		
	£6419	0	0

Monday, 5th December, 1836.

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1836.

Government Office, .....	£1048	0	0
Contingencies of ditto, .....	700	0	0
Executive Council Office, .....	500	0	0
Contingencies of ditto, .....	125	0	0
Receiver General's Office, .....	675	0	0
Contingencies of ditto, .....	200	0	0
Inspector General's Office, .....	500	0	0
Contingencies of ditto, .....	100	0	0
Surveyor General's Office, .....	1290	0	0
Contingencies of Public Offices, .....	650	0	0
Deputy Secretary and Registrar, for 1835 and 1836, .....	600	0	0
Attorney General, .....	866	13	4
Solicitor General, .....	377	15	7
Printing Statutes, .....	1000	0	0
Usher and Keeper of the Court of King's Bench, .....	40	0	0
	<hr/>	<hr/>	<hr/>
	£8672	8	11

INCREASE.

Government Office, .....	£165	0	0
Executive Council Office, .....	80	0	0
Receiver General's Office, .....	175	0	0
Contingencies of ditto, .....	150	0	0
Inspector General's Office, .....	80	0	0
Contingencies of ditto, .....	50	0	0
Surveyor General's Office, .....	100	0	0
Contingencies of Public Offices, .....	250	0	0
Deputy Secretary and Registrar, .....	600	0	0
Attorney General, .....	116	13	4
Solicitor General, .....	2	15	7
Printing Statutes, .....	444	0	0
Usher and Keeper of the Court of King's Bench, .....	40	0	0
	<hr/>	<hr/>	<hr/>
	£2253	8	11

All which is respectfully submitted,

(Signed) J. ELMSLEY,  
CHAIRMAN.

*Legislative Council, Committee Room,*

Second day of December, 1836.

On motion made and seconded; it was,

Ordered, that the said bill and report be referred to a Committee of the whole House on Monday next.

House adjourns.

On motion made and seconded, the House adjourned until Monday next.

MONDAY, 5th DECEMBER, 1836.

House meets.

The House met pursuant to adjournment.

PRESENT:

Members present.

*The Honorable* JOHN B. ROBINSON, SPEAKER.

*The Honorable Messrs.* JAMES KERBY,

*The Honorable Messrs.* ALLAN,

“ “ JOHN KIRBY,

“ “ McDONELL,

“ “ CROOKS,

“ “ ELMSLEY.

“ “ MORRIS.

“ “ BALDWIN.

Prayers were read.

The Minutes of Friday were read.

Convicts' transportation bill, read third time and passed.

Pursuant to the order of the day, the bill to authorise the transporting of Offenders, was read a third time and passed; and it was,

Monday, 5th December, 1836.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

Ordered, that the title be, "An Act respecting the Transportation of Convicts."	Title ordered.
Whereupon the Speaker signed the bill; and it was,	Bill signed;
Ordered, that the same be sent to the Commons House of Assembly, by the Master in Chancery, for the concurrence of that House.	And sent to the Assembly for concurrence.
The Honorable Mr. Markland enters.	A Member enters.
Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill to appoint the time and place for holding the Court of General Quarter Sessions of the Peace, in each of the several Districts of this Province, and to repeal the several Laws now in force for that purpose.	Quarter Sessions time and place appointment bill, committed.
The Honorable Mr. Baldwin took the Chair.	
After some time the House resumed.	
The Chairman reported, that the Committee had gone through the said bill, and recommended the same to the adoption of the House.	Reported.
Ordered, that the report be received; and,	Adopted.
Ordered, that the said bill be engrossed, and read a third time to-morrow.	
Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill, entitled, "An Act granting to His Majesty a certain sum of money to defray the expenses of the Civil Government, for the year one thousand eight hundred and thirty-six, and for other purposes therein mentioned," together with the report of the select Committee thereon.	Civil List bill, committed.
The Honorable Mr. Markland took the Chair.	
After some time the House resumed.	
The Chairman reported, that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.	Reported.
Ordered, that the report be received; and,	Adopted.
Ordered, that the forty-fourth rule of the House be dispensed with, as it regards this bill, and that the same be read a third time this day.	Forty-fourth rule dispensed with as regards same.
Pursuant to the order of the day, the bill entitled, "An Act to abolish the distinction between Grand and Petit Larceny, and to enable the Courts of General Quarter Sessions of the Peace, and any Court having the like powers, to try all cases of simple Larceny, under certain restrictions, and to amend the Laws respecting the punishment of Larceny," was read a second time; and it was,	Quarter Sessions jurisdiction extension bill, read second time.
Ordered, that the House be put into a Committee of the whole to-morrow, to take the same into consideration.	
Pursuant to the order of the day, the petitions of the Minister, Elders and Congregation of Lancaster, in connection with the Established Church of Scotland, and the Ministers, Elders, Managers and Congregation of the Presbyterian Church of Hamilton, in connection with the Church of Scotland, respectively praying, that the said Church may be allowed to participate in the Clergy Reserves, and also praying against the establishment of Rectories within this Province; also the petition of the President and Directors of the London and Gore Rail Road Company, praying for a loan of £200,000, or more; also the petition of the President and Directors of the Gore Bank, praying for an increase of Stock; also the petition of John Haycock, and others, inhabitants of Hamilton, Ancaster, Brantford and vicinity, praying for an Act authorising the appointment of Trustees, or Commissioners, for the purpose of superintending the making of a Turnpike Road from Ancaster to Brantford, with power to levy tolls thereon; also the petition of Thomas Cornwell, and others, inhabitants of the township of Norwich, praying for an Act authorising an equal division of the land from the eastern boundary of the said township, across certain lots, to the quarter township line established by the Commissioners; also the petition of Timothy J. Farr, and others, inhabitants of the District of London, praying for the establishment of a Bank therein, at the town of London; and also the petition of David Sherman, and others, inhabitants of the townships of Chatham and Camden, praying for an Act confirming the boundaries of the said townships, corresponding with the front lines in the townships of Harwich and Howard; were severally read.	Petitions of the Members of the Scotch Church at Lancaster and Hamilton; President and Directors of the London and Gore Rail Road Company; President and Directors of the Gore Bank; John Haycock, and others; Thomas Cornwell, and others; Timothy J. Farr, and others; and David Sherman, and others, read.
Pursuant to the order of the House, the bill entitled, "An Act granting to His Majesty a certain sum of money to defray the expenses of the Civil Government, for the year one thousand eight hundred and thirty-six, and for other purposes therein mentioned," was read a third time and passed;	Civil List Bill, read third time, and passed.
Whereupon the Speaker signed the same; and it was,	Same signed;



Tuesday, 6th December, 1836.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT. 7th WILLIAM IV.

And the Assembly acquainted thereof.

Ordered, that the Master in Chancery do go down to the Assembly and acquaint that House, that the Legislative Council have passed this bill, without any amendment.

Petitions of James Jessup, and others;

The Honorable Mr. Allan brought up the petition of James Jessup, and others, inhabitants of the Ottawa, Eastern and Johnstown Districts; which was laid on the table.

Alexander Douglas, and others;

The Honorable Mr. James Kerby brought up the petition of Alexander Douglas, and others, inhabitants of the townships of Bertie and Willoughby, in the District of Niagara; which was laid on the table.

John Logie, and others;

The Honorable Mr. Crooks brought up two petitions of John Logie, and others, inhabitants of the township of Ops; also the petition of Joseph Perrin, and others, inhabitants of the township of Mariposa; also the petition of John Brown, of Port Hope, in the District of Newcastle; also the petition of Benjamin Throop, and others, inhabitants of Cobourg, in the District of Newcastle; and also the petition of the Minister, Elders and Members, of the Presbyterian Congregations in Ancaster, Dundas and Flamborough, in the District of Gore, in connection with the Church of Scotland: which were laid on the table.

Joseph Perrin, and others;

John Brown;

Benjamin Throop, and others; and,

The Members of the Scotch Church at Ancaster, Dundas and Flamborough, brought up.

Petition of the Members of the Scotch Church at Cobourg, brought up.

The Honorable Mr. Morris brought up the petition of the Elders and adherents of the Presbyterian Congregation of Cobourg, in connection with the Established Church of Scotland; which was laid on the table.

House adjourns.

On motion made and seconded, the House adjourned.

TUESDAY, 6th DECEMBER, 1836.

House meets.

The House met pursuant to adjournment.

PRESENT :

Members present.

*The Honorable* JOHN B. ROBINSON, SPEAKER.

*The Honorable Messrs.* JAMES KERBY,

*The Honorable Messrs.* ALLAN,

" " JOHN KIRBY,

" " McDONELL,

" " CROOKS.

" " BALDWIN,

" " MORRIS.

Prayers were read.

Oath prescribed by law administered to the Hon. Mr. Crookshank.

The Honorable Mr. Crookshank came to the table, and took and subscribed the Oath prescribed by the Statute 31st Geo. 3rd, Chap. 31st, pursuant to the Third Rule of the House.

The Minutes of yesterday were read.

Quarter Sessions time and place appointment bill, read third time and passed.

Pursuant to the order of the day, the bill to appoint the time and place for holding the Court of General Quarter Sessions of the Peace in each of the several Districts of this Province, and to repeal the several Laws now in force for that purpose, was read a third time and passed: and it was,

Title ordered.

Ordered, that the title be, "An Act to appoint the time and place for holding the Court of General Quarter Sessions of the Peace in each of the several Districts of this Province, and to repeal the several Laws now in force for that purpose";

Bill signed;

Whereupon the Speaker signed the bill; and it was,

And sent to the Assembly for concurrence.

Ordered, that the same be sent to the Commons House of Assembly, by the Master in Chancery, for the concurrence of that House.

Quarter Sessions jurisdiction extension bill, committed.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill to abolish the distinction between Grand and Petit Larceny, and to enable the Courts of General Quarter Sessions of the Peace, and any Court having the like powers, to try all cases of Simple Larceny, under certain restrictions, and to amend the Laws respecting the punishment of Larceny.

The Honorable Mr. Crookshank took the Chair.

After some time the House resumed.

Reported.

The Chairman reported, that the Committee had gone through the said bill, and recommended the same to the adoption of the House.

Adopted.

Ordered, that the report be received; and,

Ordered, that the said bill be engrossed, and the same read a third time to-morrow.

Petitions of Sheldon Hawley, and others;

The Honorable Mr. Allan brought up the petition of Sheldon Hawley, and others, residents in the Eastern parts of the Newcastle District; which was laid on the table.

President, &c. of the Commercial Bank of the Midland District; Thomas Kirkpatrick, and others;

The Honorable the Speaker brought up the petition of the President, Directors and Company, of the Commercial Bank of the Midland District; and also the petition of Thomas Kirkpatrick, and others, inhabitants of the Town of Kingston; which were laid on the table.

Wednesday, 7th December, 1836.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

The Honorable Mr. Crooks brought up the petition of R. Fairburn, and others, inhabitants of certain townships in the District of Newcastle; and also the petition of W. S. Sumner, and others, inhabitants of Oakville, and its vicinity; which were laid on the table.

The Honorable Mr. Morris brought up the petition of the Elders and Trustees of the Church of Saint Francis, in the township of Elmsley, in connection with the Church of Scotland; also the petition of the Session and Congregation in the township of Beckwith, in connection with the Established Church of Scotland; and also the petition of Archibald McNab, and others, inhabitants of certain townships in the District of Bathurst; which were laid on the table.

The Honorable the Speaker brought in a bill to make the remedy in cases of Seduction more effectual, and to render the fathers of illegitimate children liable for their support.

The said bill was then read; and it was,

Ordered, that the same be read a second time to-morrow.

On motion made and seconded, the House adjourned.

WEDNESDAY, 7th DECEMBER, 1836.

The House met pursuant to adjournment.

PRESENT:

*The Honorable* JOHN B. ROBINSON, SPEAKER.

*The Honorable Messrs.* McDONELL,

" " BALDWIN,

" " JAMES KERBY,

*The Honorable Messrs.* JOHN KIRBY,

" " CROOKS,

" " MORRIS,

Members present.

Prayers were read.

The Minutes of yesterday were read.

Pursuant to the order of the day, the bill to abolish the distinction between Grand and Petit Larceny, and to enable the Courts of General Quarter Sessions of the Peace to try all cases of Simple Larceny, under certain restrictions, and to amend the Laws respecting the punishment of Larceny, was read a third time and passed; and it was,

Ordered, that the title be "An Act to abolish the distinction between Grand and Petit Larceny, and to enable the Courts of General Quarter Sessions of the Peace to try all cases of Simple Larceny, under certain restrictions, and to amend the Laws respecting the punishment of Larceny":

Whereupon the Speaker signed the bill; and it was,

Ordered, that the same be sent to the Commons House of Assembly, by the Master in Chancery, for the concurrence of that House.

Pursuant to the order of the day, the bill to make the remedy in cases of Seduction more effectual, and to render the fathers of illegitimate children liable for their support, was read a second time; and it was,

Ordered, that the House be put into a Committee of the whole to-morrow, to take the same into consideration.

Pursuant to the order of the day, the petition of James Jessup, and others, inhabitants of the Ottawa, Eastern and Johnstown Districts, praying for an Act authorising the improvement of the navigation of the River Petite Nation; also the petition of Alexander Douglas, and others, inhabitants of the townships of Bertie and Willoughby, in the District of Niagara, praying for an Act granting them a Charter for constructing a Canal for ship navigation, from Fort Erie to some point below the rapids on the Niagara River; also the petition of John Logie, and others, inhabitants of the township of Ops, praying for a grant of money to aid in the improvement of the principal and leading road from Emily, through the township, to the Scugog River, or to the Village of Lindsay, in Ops, and from thence to the township of Mariposa; also the petition of Joseph Perrin, and others, inhabitants of the township of Mariposa, praying for a grant of money to be expended in the opening and repairing the road between the eleventh and twelfth concessions of the said township; also the petition of John Logie, and others, inhabitants of the township of Ops, praying for an Act compelling Purdy's Mill-dam to be reduced in height six or seven feet; also the petition of John Brown, of Port Hope, in the District of Newcastle, praying for an Act releasing him from his contract to erect a Light-house on Gull Island; also the petition of Benjamin Throop, and others, inhabitants of the Town of Cobourg, in the District

R. Fairburn, and others;  
W. S. Sumner, and others;

Members of the Scotch Church at Saint Francis and Beckwith; and

Arch'd. McNab, and others, brought up.

Seduction provision bill, brought in.

Read first time.

House adjourns.

House meets.

Members present.

Quarter Sessions jurisdiction extension bill, read third time and passed.

Title ordered.

Bill signed;

And sent to the Assembly for concurrence.

Seduction provision bill, read second time.

Petitions of James Jessup, and others;

Alexander Douglas, and others;

John Logie, and others;

Joseph Perrin, and others;

John Logie, and others;

John Brown;

Benjamin Throop, and others;

Thursday, 8th December, 1836.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT. 7th WILLIAM IV.

Members of the Scotch Church in Ancaster, Dundas and Flamborough, and Cobourg, read.

of Newcastle, praying for the incorporation of the same, and the establishment of a police therein; also the petitions of the Minister, Elders and Members, of the Presbyterian congregations in Ancaster, Dundas and Flamborough, in the District of Gore, in connection with the Church of Scotland; and of the Elders and adherents of the Presbyterian congregation of Cobourg, in connection with the Established Church of Scotland, respectively praying that the said Church may be allowed to participate in the proceeds of the sale of the Clergy Reserves, and also against the establishment of Rectories in this Province; were severally read.

Petition of the Members of the Scotch Church in the City of Toronto, brought up.

The Honorable Mr. Morris brought up the petition of the Members, and others, of the Presbyterian Church in the City of Toronto, in connection with the Church of Scotland; which was laid on the table.

A Member enters.

The Honorable Mr. Allan enters.

Message from the Assembly,

A Deputation from the Commons House of Assembly, brought up and delivered at the Bar of this House, a Message in the following words, and then withdrew.

MR. SPEAKER,

Announcing the appointment of a Committee to meet a Committee of this House, on the subject of the division of Districts.

The Commons House of Assembly have appointed a Committee of twelve of its Members, on the subject of the division of the Districts, who will be ready to meet the Committee of the Honorable the Legislative Council, at such time as may be appointed.

(Signed)

ARCHIBALD McLEAN,  
SPEAKER.

*Commons House of Assembly.*

7th December, 1836.

On motion made and seconded; it was,

Assembly informed of the time and place for holding the meeting.

Ordered, that the Master in Chancery do go down to the Assembly and acquaint that House, that the Committee of the Legislative Council, on the subject of the Division of Districts, will meet the Committee appointed on the part of the Commons House of Assembly, tomorrow, at the hour of ten of the clock in the forenoon, in the Committee Room of the Legislative Council.

House adjourns.

On motion made and seconded, the House adjourned.

THURSDAY, 8th DECEMBER, 1836.

House meets.

The House met pursuant to adjournment.

PRESENT :

Members present.

*The Honorable* JOHN B. ROBINSON, SPEAKER.  
*The Honorable Messrs.* CROOKSHANK,  
" " McDONELL,  
" " BALDWIN,  
" " HAMILTON.

*The Honorable Messrs.* JAMES KERBY,  
" " JOHN KIRBY,  
" " CROOKS,  
" " MORRIS.

Prayers were read.

The Minutes of yesterday were read.

Seduction provision bill, committed.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill to make the remedy in cases of Seduction more effectual, and to render the fathers of illegitimate children liable for their support.

The Honorable Mr. James Kerby, took the Chair.

After some time the House resumed.

Reported.

The Chairman reported that the Committee had gone through the said bill, and recommended the same to the adoption of the House.

Adopted.

Ordered, that the report be received; and,

Ordered, that the said bill be engrossed, and read a third time to-morrow.

Petitions of Sheldon Hawley, and others;

Pursuant to the order of the day, the petition of Sheldon Hawley, and others, residents in the Eastern parts of the Newcastle District, praying to be formed into a new District, or for amending the Hastings division bill in such manner as that the petitioners may be included therein; also the petition of the President, Directors and Company, of the Commercial Bank of the Midland District, praying for an Act increasing the Capital Stock of the said Institution to £500,000; also the petition of Thomas Kirkpatrick, and others, inhabitants of the Town of Kingston, praying for an Act Incorporating a Joint Stock Company for the purpose of Daming

President, &c. of the Commercial Bank of the Midland District;

Thomas Kirkpatrick, and others;

Friday, 9th December, 1836.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

the great River Cataraqui; also the petition of R. Fairburn, and others, inhabitants of certain townships in the District of Newcastle, praying for an Act of Incorporation for the purpose of constructing a Harbour at the mouth of Barber's Creek; also the petition of W. S. Sumner, and others, inhabitants of Oakville, praying for an Act authorising that the Clergy Reserves may be applied to purposes of general education; also the petition of the Elders and Trustees of the Church of Saint Francis, in the township of Elmsley, in connection with the Church of Scotland; and of the Session and Congregation in the Township of Beckwith, in connection with the Established Church of Scotland, respectively praying against the establishment of Rectories in this Province, and for a consideration of the just claims of the said Church; and also the petition of Archibald McNab, and others, inhabitants of certain townships in the District of Bathurst, praying for an Act erecting them into a separate County; were severally read.

The Honorable Mr. Morris brought up the petition of John Smyth, and others, inhabitants of the City of Toronto; and also the petition of the Minister, Elders and adherents, of the Presbyterian Congregation, in the township of Caledon, in connection with the Church of Scotland; which were laid on the table.

On motion made and seconded, the House adjourned until to-morrow, at half an hour past twelve of the clock, P. M.

R. Fairburn, and others;

W. S. Sumner, and others;

The members of the Scotch Church at Saint Francis and Beckwith; and

Archibald McNab, and others, read.

Petitions of John Smyth, & others; and Of the Members of the Scotch Church in the township of Caledon, brought up.

House adjourns.

FRIDAY, 9th DECEMBER, 1836.

The House met pursuant to adjournment.

House meets.

PRESENT :

*The Honorable JOHN B. ROBINSON, SPEAKER.*

*The Honorable Messrs. BALDWIN,*

*The Honorable Messrs. CROOKSHANK,*

“ “ HAMILTON,

“ “ WELLS,

“ “ JAMES KERBY,

“ “ CAMERON,

“ “ JOHN KIRBY,

“ “ MARKLAND,

“ “ CROOKS,

“ “ ALLAN,

“ “ MORRIS.

“ “ McDONELL,

Members present.

Prayers were read.

The Minutes of yesterday were read.

Pursuant to the order of the day, the bill to make the remedy in cases of Seduction more effectual, and to render the fathers of illegitimate children liable for their support, was read a third time and passed; and it was,

Seduction provision bill, read third time and passed.

Ordered, that the title be, “An Act to make the remedy in cases of Seduction more effectual, and to render the fathers of illegitimate children liable for their support”;

Title ordered.

Whereupon the Speaker signed the bill; and it was,

Bill signed;

Ordered, that the same be sent, by the Master in Chancery, to the Commons House of Assembly, for the concurrence of that House.

And sent to the Assembly for concurrence.

Pursuant to the order of the day, the petition of the Members and others of the Presbyterian Church in Toronto, in connection with the Church of Scotland, praying that the said Church may be allowed to participate in the benefits to be derived from the Clergy Reserves, and also praying against the establishment of Rectories in this Province; was read.

Petition of the Members and others of the Scotch Church in the City of Toronto, read.

The Honorable Mr. Baldwin brought up the petition of Roswell Martin, and others, inhabitants of Darlington, and the adjoining townships, in the Newcastle District; which was laid on the table.

Petitions of Roswell Martin, and others;

The Honorable Mr. James Kerby brought up the petition of John Bostwick, and others, inhabitants of the County of Middlesex, in the London District; which was laid on the table.

John Bostwick, and others; and

The Honorable Mr. John Kirby brought up the petition of James Russell, and others, inhabitants of the Town and Township of Kingston, and the adjacent country; which was laid on the table.

James Russell, and others, brought up.

At one of the clock, P.M. His Excellency the Lieutenant Governor having come to the Legislative Council Chamber, and being seated on the Throne, the Gentleman Usher of the Black Rod was ordered to direct the immediate attendance of the Speaker and Members of the House of Assembly in this House; who being come to the Bar, His Excellency was pleased, in His Majesty's name, to assent to the following bill, viz :

Lieutenant Governor comes to the House and commands the attendance of the Assembly;

“An Act to incorporate a Joint Stock Company, under the style and title of ‘The President, Directors and Company, of the Grafton Harbour.’”

And assents to Grafton Harbour bill.

Monday, 12th December, 1836.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

The Speaker of the House of Assembly then addressed His Excellency the Lieutenant Governor in the following words:

MAY IT PLEASE YOUR EXCELLENCY :

Address of the Speaker of the Assembly upon presenting the Supply bill.

We, His Majesty's faithful Subjects, the Commons of Upper Canada, recognizing the duty which we owe to our Sovereign, and the loyal people whom we represent, and sensible that it is the anxious desire of Your Excellency to accede to all our reasonable expectations, and to afford us every aid in removing all well-founded complaints, beg leave to present to Your Excellency, for the Royal assent, a bill which has passed both Houses of the Legislature, to provide for the support of the Civil Government for the current year, and we trust that the evils occasioned by withholding the Supplies during the last Session, may thus be effectually removed.

The Clerk of the Crown in Chancery then read aloud the title of the bill, as follows:

Title of same read by the Clerk of the Crown in Chancery.

"An Act granting to His Majesty a certain sum of money to defray the expenses of the Civil Government, for the year one thousand eight hundred and thirty-six, and for other purposes therein mentioned."

Then the Clerk of this House, receiving His Excellency's commands, said:

The Royal Assent given thereto.

His Excellency the Lieutenant Governor thanks His Majesty's loyal Subjects, accepts their benevolence, and assents to this bill in His Majesty's name.

His Excellency retires.  
House adjourns.

The House of Assembly having withdrawn, His Excellency was pleased to retire.

On motion made and seconded, the House adjourned until Monday next, at the hour of one of the clock, P.M.

MONDAY, 12th DECEMBER, 1836.

House meets.

The House met pursuant to adjournment.

PRESENT :

Members present.

<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> ADAMSON,
<i>The Honorable Messrs.</i> ALLAN,	" " JAMES KERBY,
" " McDONELL,	" " JOHN KIRBY,
" " BALDWIN,	" " CROOKS,
" " HAMILTON,	" " MORRIS.

Prayers were read.

Oath prescribed by law administered to the Hon. John Macaulay.

The Honorable John Macaulay came to the table, and took and subscribed the oath prescribed by the Statute of the 31st Geo. III. chap. 31st, as required by the third rule of this House, at the beginning of a Parliament.

The Minutes of Friday last were read.

Petitions of John Smyth and others;

Pursuant to the order of the day, the petition of John Smyth, and others, inhabitants of the City of Toronto, praying for an Act granting a Charter for the purpose of uniting Lakes Ontario and Huron by a Rail Road from the said City to some convenient spot on Lake Huron aforesaid; also the petition of the Minister, Elders and adherents, of the Presbyterian Congregation in the township of Caledon, in connection with the Church of Scotland, praying against the establishment of Rectories within this Province, and that the said Church may be allowed to participate in the benefits to be derived from the Clergy Reserves; also the petition of Roswell Martin, and others, inhabitants of Darlington, and the adjoining townships, praying for an Act incorporating them for the purpose of constructing a Harbour at the mouth of Barber's Creek; also the petition of John Bostwick, and others, inhabitants of the County of Middlesex, in the London District, praying for a further grant of money, to be expended in the improvement of the Harbour of Port Stanley; and also the petition of James Russell, and others, inhabitants of the Town and Township of Kingston, and the adjacent country, praying for an Act authorising the improvement of the road leading from Kingston to the Napanee Village, by Macadamizing the same; were severally read.

Members of the Scotch Church in Caledon;

Roswell Martin, and others;

John Bostwick, and others; and

James Russell, and others, read.

Petitions of Samuel Street, and others;

The Honorable Mr. Hamilton brought up the petition of Samuel Street, and others, Freeholders and inhabitants of the District of Niagara; which was laid on the table.

John Milner, and another;  
Henry Smith;  
President, &c. of the Midland District School Society; and

The Honorable Mr. Macaulay brought up the petition of John Milner, and another; also the petition of Henry Smith, Warden and Principal Superintendent of the Provincial Penitentiary; also the petition of the President, and others, interested in the Midland District School Society; and also the petition of the Minister, Elders and Members, of the Congregation of

Tuesday, 13th December, 1836.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

St. Andrew's Church, Kingston, in connection with the Established Church of Scotland; which were laid on the table. Members of the Scotch Church at Kingston, brought up.

The Honorable the Speaker brought in a bill, to continue and amend an Act passed in the third year of His present Majesty's reign, entitled, "An Act to facilitate legal remedies against Corporations." Corporations legal remedy continuation bill, brought in.

The said bill was then read; and it was,

Read first time.

Ordered, that the same be read a second time to-morrow.

A Deputation from the Commons House of Assembly brought up a bill entitled, "An Act to raise, by Debenture, a sum of money for the improvement of Windsor Harbour, in the Township of Whitby, in the Home District, and for other purposes therein-mentioned"; and also a bill entitled, "An Act to incorporate a Joint Stock Company, for the improvement of the Mineral Springs in the Township of Caledonia, in the Ottawa District," to which they requested the concurrence of this House, and then withdrew. Windsor Harbour loan bill; and  
Caledonia Springs Company's bill, brought up.

The said bills were then severally read; and it was,

Read first time.

Ordered, that they be read a second time to-morrow.

The Honorable Mr. Crooks brought up the petition of the Mechanics' Association, and others, of the Village of Dundas, in the District of Gore; which was laid on the table. Petitions of the Mechanics' Association of Dundas; and

The Honorable Mr. James Kerby brought up the petition of William Young, and others, inhabitants of the District of London; and also the petition of William Young, Chairman of the Quarter Sessions, and one of the Judges of the District Court, of the District of London: which were laid on the table. Two petitions of William Young, and others, brought up.

On motion made and seconded, the House adjourned.

House adjourns.

TUESDAY, 13th DECEMBER, 1836.

The House met pursuant to adjournment.

House meets.

PRESENT:

*The Honorable* JOHN B. ROBINSON, SPEAKER.

*The Honorable Messrs.* JAMES KERBY,

*The Honorable Messrs.* BALDWIN,

" " CROOKS,

" " HAMILTON,

" " MORRIS.

" " ADAMSON,

Members present.

Prayers were read.

The Minutes of yesterday were read.

Pursuant to the order of the day, the House was again put into a Committee of the whole upon the bill for the further amendment of the Law, and the better advancement of Justice. Justice advancement bill, re-committed.

The Honorable Mr. Baldwin took the Chair.

A Message being announced, the Chairman left the Chair, and the House formed.

Message from the Assembly,

A Deputation from the Commons House of Assembly returned the bill sent down from this House, entitled, "An Act to provide more effectually for the punishment of certain Offences, and to enable the Governor, Lieutenant Governor, or Person Administering the Government of this Province, to commute the sentence of Death in certain cases, for other punishment in this Act mentioned"; also the bill entitled, "An Act to amend the Law respecting Bills of Exchange and Promissory Notes"; also the Bill entitled, "An Act respecting the Transportation of Convicts"; and also the bill entitled, "An Act to appoint Trustees to carry into effect the provisions of the Will of John White, Esquire, deceased," and acquainted this House that the Commons House of Assembly had passed the same without any amendment. The same Deputation also returned the bill sent down from this House, entitled, "An Act to appoint the time and place for holding the Court of General Quarter Sessions of the Peace, in each of the several Districts of this Province, and to repeal the several Laws now in force for that purpose," and they acquainted this House, that the Commons House of Assembly had made some amendments in and to the same, to which they requested the concurrence of the Legislative Council, and then withdrew. Announcing the passing of sentence of death commutation bill;  
Bill of Exchange law amendment bill;  
Convicts' transportation bill; and  
White's Trustee bill;  
And the return of Quarter Sessions time and place appointment bill, amended by that House.

The Honorable Mr. Macaulay enters.

A Member enters.

The House was then again put into a Committee of the whole, upon the bill for the further amendment of the Law, and the better advancement of Justice. Justice advancement bill, re-committed.

The Honorable Mr. Baldwin took the Chair.

After some time the House resumed.

## Wednesday, 14th December, 1836.

## FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

Amendments reported.	The Chairman reported, that the Committee had gone through the said bill, had made some amendments thereto, and recommended the same to the adoption of the House.
Adopted.	Ordered, that the report be received; and, Ordered; that the said bill be engrossed, and read a third time on Thursday next.
Amendments of the Assembly to Quarter Sessions time and place appointment bill, read first time.	The amendments of the Commons House of Assembly made in and to the bill sent down from this House, entitled, "An Act to appoint the time and place for holding the Court of General Quarter Sessions of the Peace, in each of the several Districts of this Province, and to repeal the several Laws now in force for that purpose," were then read by the Clerk, as follows: Amendments made by the Commons House of Assembly in and to the bill sent down from the Honorable the Legislative Council, entitled, "An Act to appoint the time and place for holding the Court of General Quarter Sessions of the Peace, in each of the several Districts of this Province, and to repeal the several Laws now in force for that purpose." Press 4, line 18, expunge "Adolphustown," and insert "Kingston." " " " 20, expunge the words "and at Kingston." " 5, " 1, before "Tuesday," insert "second." On motion made and seconded; it was, Ordered, that the said amendments be read a second time to-morrow.
The amendments.	Pursuant to the order of the day, the bill to continue and amend an Act passed in the third year of His present Majesty's reign, entitled, "An Act to facilitate legal remedies against Corporations," was read a second time; and it was, Ordered, that the House be put into a Committee of the whole to-morrow, to take the same into consideration.
Corporations legal remedy continuation bill, read second time.	Pursuant to the order of the day, the bill entitled, "An Act to raise, by Debenture, a sum of money for the improvement of Windsor Harbour, in the Township of Whitby, in the Home District, and for other purposes therein mentioned," was read a second time; and it was, Ordered, that the same be referred to a select Committee, with power to send for persons and papers, and to report thereon; and, Ordered, that the Honorable Messieurs Morris and Macaulay, do compose such Committee for that purpose.
Windsor Harbour loan bill, read second time.	Pursuant to the order of the day, the bill entitled, "An Act to incorporate a Joint Stock Company for the improvement of the Mineral Springs in the Township of Caledonia, in the Ottawa District," was read a second time; and it was, Ordered, that the House be put into a Committee of the whole to-morrow, to take the same into consideration.
And referred to a Select Committee.	The Honorable Mr. Morris brought up the petition of the Kirk Sessions, and Congregations, of the two Presbyterian Churches in Perth, in connection with the Church of Scotland; which was laid on the table.
Members composing same.	The Honorable Mr. Hamilton brought up the petition of William Brown, and others, inhabitants of the Newcastle, Prince Edward and Midland Districts; which was laid on the table.
Caledonia Springs Company incorporation bill, read second time.	The Honorable Mr. Crooks brought up the petition of A. W. Light, and others, inhabitants of the County of Oxford, in the District of London; and also the petition of the Members of the Toronto Mechanics' Association; which were laid on the table.
Petition of the Members of the Scotch Churches in Perth;	The Honorable Mr. Baldwin brought up the petition of George G. Kent, and others; which was laid on the table.
William Brown, and others;	On motion made and seconded, the House adjourned.
A. W. Light, and others; Members of the Toronto Mechanics' Association; and George G. Kent, and others, brought up.	
House adjourns.	

WEDNESDAY, 14th DECEMBER, 1836.

House meets.

The House met pursuant to adjournment.

## PRESENT :

Members present.	<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> HAMILTON,
	<i>The Honorable Messrs.</i> CROOKSHANK,	" " ADAMSON,
	" " ALLAN,	" " JAMES KERBY,
	" " McDONELL,	" " CROOKS,
	" " BALDWIN,	" " MORRIS.

Prayers were read.

The Minutes of yesterday were read.

Thursday, 15th December, 1836.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill to continue and amend an Act passed in the third year of His present Majesty's reign, entitled, "An Act to facilitate legal remedies against Corporations." Corporations legal remedy continuation bill, committed.

The Honorable Mr. Adamson took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said bill, and recommended the same to the adoption of the House. Reported.

Ordered, that the report be received; and, Adopted.

Ordered, that the said bill be engrossed, and read a third time to-morrow.

The order of the day being read for putting the House into a Committee of the whole, upon the bill entitled, "An Act to incorporate a Joint Stock Company for the improvement of the Mineral Springs in the Township of Caledonia, in the Ottawa District"; it was, Caledonia Springs Company incorporation bill discharged from the order of the day;

Ordered, that it be discharged, and that the said bill be referred to a select Committee, with power to send for persons and papers, and to report thereon by amendment or otherwise; and, And referred to a Select Committee.

Ordered, that the Honorable Messieurs Crookshank, Hamilton, and Morris, do compose the same for that purpose. Members composing same.

Pursuant to the order of the day, the amendments of the Commons House of Assembly made in and to the bill sent down from this House, entitled, "An Act to appoint the time and place for holding the Court of General Quarter Sessions of the Peace, in each of the several Districts of this Province, and to repeal the several Laws now in force for that purpose," were read a second time; and it was, Amendments of the Assembly to Quarter Sessions time and place appointment bill, read second time.

Ordered, that on to-morrow the House be put into a Committee of the whole, to take the same into consideration.

Pursuant to the order of the day, the petition of Samuel Street, and others, Freeholders and inhabitants of the District of Niagara, praying for a Scientific Survey of a new route for a Canal from a given point on the Welland River to the River Niagara, instead of the present line from Port Robinson to Port Dalhousie; also the petition of John Milner, and another, praying for relief as Contractors for the doing of the mason and plaster work of the Kingston Hospital; also the petition of Henry Smith, Warden and Principal Superintendent of the Provincial Penitentiary, praying for an increase of salary; also the petition of the President, and others, interested in the Midland District School Society, praying for certain amendments in their Act of Incorporation; also the petition of the Minister, Elders and Members, of the Congregation of St. Andrew's Church, Kingston, in connection with the Established Church of Scotland, praying that the Imperial Parliament will pass an Act explanatory of our Constitutional Charter in relation to the Clergy Reserves; also the petition of the Mechanics' Association, and others, of the Village of Dundas, in the District of Gore, praying against the Penitentiary discipline, as injurious to their interests; also the petition of William Young, and others, inhabitants of the District of London, praying for a grant of money to be expended in the improvement of the River Thames, from the Town of London to Chatham, and for the reimbursement of certain expenses incurred by the employment of a Civil Engineer; and also the petition of William Young, Chairman of the Quarter Sessions of the Peace for the London District, and one of the Judges of the District Court, praying, on behalf of the Magistracy of the said District, for an Act authorising the building of a new Gaol in and for the same; were severally read. Petitions of Samuel Street, and others;  
John Milner, and another;  
Henry Smith;  
President, &c. of the Midland District School Society;  
Members of the Scotch Church at Kingston;  
Mechanics' Association of Dundas; and  
Two petitions of William Young and others, read.

The Honorable Mr. Morris brought up the petition of Alexander David Scott, and others, inhabitants of the Ottawa, Eastern and Johnstown Districts; which was laid on the table. Petition of Alexander David Scott, and others, brought up.

On motion made and seconded, the House adjourned. House adjourns.

THURSDAY, 15th DECEMBER, 1836.

The House met pursuant to adjournment. House meets.

PRESENT :

*The Honorable* JOHN B. ROBINSON, SPEAKER.

*The Honorable Messrs.* CROOKSHANK,

" " ALLAN,

" " McDONELL,

" " BALDWIN,

" " HAMILTON;

*The Honorable Messrs.* ADAMSON,

" " JAMES KERBY,

" " JOHN KIRBY,

" " CROOKS,

" " MORRIS,

" " MACAULAY.

Members present.

Prayers were read.



Friday, 16th December, 1836.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

The Minutes of yesterday were read.

Justice advancement bill, read third time and passed.

Pursuant to the order of the day, the bill for the further amendment of the Law, and the better advancement of Justice, was read a third time and passed; and it was,

Title ordered.

Ordered, that the title be, "An Act for the further amendment of the Law, and the better advancement of Justice";

Bill signed; And sent to the Assembly for concurrence.

Whereupon the Speaker signed the bill; and it was,

Ordered, that the same be sent to the Commons House of Assembly, by the Master in Chancery, for the concurrence of that House.

Corporations legal remedy continuation bill, read third time and passed.

Pursuant to the order of the day, the bill to continue and amend an Act passed in the third year of His present Majesty's reign, entitled, "An Act to facilitate legal remedies against Corporations," was read a third time and passed; and it was,

Title ordered.

Ordered, that the title be, "An Act to revive, continue and amend, an Act passed in the third year of His present Majesty's reign, entitled, "An Act to facilitate legal remedies against Corporations."

Bill signed;

Whereupon the Speaker Signed the bill; and it was,

And sent to the Assembly for concurrence.

Ordered, that the same be sent to the Commons House of Assembly, by the Master in Chancery, for the concurrence of that House.

Amendments of the Assembly to Quarter Sessions time and place appointment bill, committed.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the amendments of the Commons House of Assembly, made in and to the bill sent down from this House, entitled, "An Act to appoint the time and place for holding the Court of General Quarter Sessions of the Peace, in each of the several Districts of this Province, and to repeal the several Laws now in force for that purpose."

The Honorable Mr. John Kirby took the Chair.

After some time the House resumed.

Reported.

The Chairman reported that the Committee had gone through the said amendments, and recommended the same to the adoption of the House.

Adopted.

Ordered, that the report be received; and,

Ordered, that the said amendments be read a third time to-morrow.

Petitions of the Members of the Scotch Churches in Perth;

William Brown, and others;

A. W. Light, and others;

Members of the Toronto Mechanics' Association; and George G. Kent, and others, read.

Pursuant to the order of the day, the petition of the Kirk Sessions, and Congregations of the two Presbyterian Churches in Perth, in connection with the Church of Scotland, praying against the institution of Rectories within this Province; also the petition of William Brown, and others, inhabitants of the Newcastle, Prince Edward, and Midland Districts, praying for a grant of money to enable them to construct a Canal for uniting the waters of Lake Ontario with the head of the Bay of Quinte; also the petition of A. W. Light, and others, inhabitants of the County of Oxford, in the District of London, praying for a division of the said District; also the petition of the Members of the Toronto Mechanics Association, praying against the discipline of the Provincial Penitentiary; and also the petition of George G. Kent, and others, praying for an Act of Incorporation, for the purpose of establishing a single or double Rail-way or Macadamized Road, from some point of Windsor Harbour to the York road, or Dundas-street; were severally read.

Petition of the Members of the Scotch Church in the township of Osgoode, brought up.

The Honorable Mr. Morris brought up the petition of the Members of the Church of Scotland, in the township of Osgoode; which was laid on the table.

On motion made and seconded; it was,

Brockville Bank bill referred to a Select Committee.

Ordered, that the bill entitled, "An Act to establish a Bank at Brockville, in the District of Johnstown," be referred to a Select Committee, with power to send for persons and papers, and to report thereon by amendment or otherwise; and,

Members composing same.

Ordered, that the Honorable Messieurs Allan, Hamilton, and Adamson, do compose the same for that purpose.

House adjourns.

On motion made and seconded, the House adjourned.

FRIDAY, 16th DECEMBER, 1836.

House meets.

The House met pursuant to adjournment.

PRESENT:

Members present.

The Honorable JOHN B. ROBINSON, SPEAKER.  
The Honorable Messrs. CROOKSHANK,  
" " McDONELL,  
" " HAMILTON,  
" " ADAMSON,

The Honorable Messrs. JAMES KERBY,  
" " JOHN KIRBY,  
" " CROOKS,  
" " MORRIS,  
" " MACAULAY,

Prayers were read.

Monday, 19th December, 1836.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

The Minutes of yesterday were read.

Pursuant to the order of the day, the amendments of the Commons House of Assembly, made in and to the bill sent down from this House, entitled, "An Act to appoint the time and place for holding the Court of General Quarter Sessions of the Peace, in each of the several Districts of this Province, and to repeal the several Laws now in force for that purpose," were read a third time and passed.

Amendments of the Assembly to Quarter Sessions time and place appointment bill, read third time, and passed.

Whereupon the Speaker signed the same; and it was,

Same signed;

Ordered, that the Master in Chancery do go down to the Assembly and acquaint that House, that the Legislative Council, has concurred in the amendments of the Commons House of Assembly, made in and to the said bill.

And the Assembly acquainted thereof.

Pursuant to the order of the day, the petition of David Scott, and others, inhabitants of the Ottawa, Eastern and Johnstown Districts, praying for the improvement of the River Petite Nation, either by the Government, or a Joint Stock Company, to be incorporated for that purpose, was read.

Petition of David Scott, and others, read.

On motion made and seconded; it was,

Ordered, that the Honorable Mr. Macaulay, be substituted in the place and stead of the Honorable Mr. Elmsley, upon the Joint Committee to whom has been referred the consideration of the subject of a division of Districts.

Hon. Mr. Macaulay substituted for the Hon. Mr. Elmsley, upon the joint Committee on the subject of a division of Districts. Leave of absence granted to the Hon. Mr. John Kirby.

The Honorable Mr. John Kirby, prayed that he might have leave of absence for the remainder of the Session; and it was,

Ordered, that he take leave for that time accordingly.

The Honorable Mr. James Kirby brought up the petition of John Davis, and others, inhabitants of the District of Niagara; which was laid on the table.

Petition of John Davis and others, brought up.

On motion made and seconded, the House adjourned until Monday next, at the hour of one of the clock, P.M.

House adjourns.

MONDAY, 19th DECEMBER, 1836.

The House met pursuant to adjournment.

House meets.

PRESENT :

*The Honorable* JOHN B. ROBINSON, SPEAKER.

*The Honorable Messrs.* HAMILTON,

*The Honorable Mr.* CROOKSHANK,

" " ADAMSON,

*The Hon. & Ven. The* ARCHDEACON OF YORK,

" " JAMES KERBY,

*The Honorable Messrs.* ALLAN,

" " CROOKS,

" " McDONELL,

" " MORRIS.

" " BALDWIN,

" " MACAULAY,

Members present.

Prayers were read.

The Minutes of Friday last were read.

Pursuant to the order of the day, the petition of the Members of the Church of Scotland, in the township of Osgoode, praying against the institution of Rectories within this Province; and also the petition of John Davis, and others, inhabitants of the District of Niagara, praying for the removal of the District Town to a more central situation; were severally read.

Petitions of the Members of the Scotch Church in the township of Osgoode, and John Davis and others, read.

The Honorable Mr. Crooks brought up the petition of Ezekiel Foster, and others, of the eastern parts of the London District; also two petitions of William G. Ray, and others, inhabitants of Darlington, and the adjoining townships; also the petition of the District of Gore Agricultural Society; also the petition of Daniel Fisher, and others, of Bytown; and also the petition of the Kirk Session, and Presbyterian Congregation in Zorra, in the County of Oxford, in connection with the Church of Scotland; which were laid on the table.

Petitions of Ezekiel Foster, and others; William G. Ray, and others; District of Gore Agricultural Society; Daniel Fisher, and others; The members of the Scotch Church in Zorra; and

The Honorable Mr. Hamilton brought up two petitions of the Session, Trustees and Congregation, of St. Andrew's Church, Niagara, in connection with the Church of Scotland; which were laid on the table.

The Members of the Scotch Church in Niagara, brought up.

The Honorable Mr. Allan, from the Select Committee to whom was referred the bill, entitled, "An Act to establish a Bank at Brockville, in the District of Johnstown," presented their Report.

Report of the Select Committee upon Brockville Bank Bill, presented.

Ordered, that it be received; and,

The same was then read by the Clerk, as follows:—

Read.

Monday, 19th December, 1836.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

The Report.

The Select Committee to whom was referred the bill sent up from the Commons House of Assembly, entitled, "An Act to establish a Bank at Brockville, in the District of Johnstown," beg leave to Report:

That they have examined the provisions of the said bill, and compared it with former Charters for Institutions of a like nature.

They find there are several variations in the different clauses, as well as some that are omitted, but which they consider as not being material.

They, however, beg to call the attention of Your Honorable House to an omission in the ninth clause, namely, that persons voting by proxy should reside within the Province.

All which is respectfully submitted,

(Signed)

W. ALLAN,  
CHAIRMAN.

*Legislative Council, Committee Room,*

Nineteenth December, 1836.

On motion made and seconded; it was,

Ordered, that the said bill, together with the report thereon, be referred to a Committee of the whole House, to-morrow.

The Honorable Mr. Morris brought up the petition of John McDonald, and others, Freeholders of the township of Leeds; and also, the petition of the Minister and Elders of the Kirk Session of Ramsay, in connection with the Church of Scotland; which were laid on the table.

The Honorable Mr. Morris, from the Select Committee to whom was referred the bill entitled, "An Act to incorporate a Joint Stock Company, for the improvement of the Mineral Springs in the township of Caledonia, in the Ottawa District," presented their Report.

Ordered, that it be received; and,

The same was then read by the Clerk, as follows:—

Report of the Select Committee appointed to examine and report on the bill sent up from the House of Assembly, entitled, "An Act to incorporate a Joint Stock Company, for the improvement of the Mineral Springs in the township of Caledonia, in the Ottawa District."

Your Committee have carefully examined the said bill, and are of opinion, that the privileges sought for by the petitioner, as contained in the several enacting clauses, may with propriety be granted by the Legislature.

The only amendments which Your Committee would suggest as necessary, are the following, viz.:—That the Directors of the proposed incorporated Company shall be Subjects of His Majesty, and that the Legislature reserve to itself the power of Legislating on the subject of the Charter, at any time hereafter, should it appear necessary, in order to guard the rights of individuals, or the public.

All which is respectfully submitted.

(Signed)

W. MORRIS,  
CHAIRMAN.

*Committee Room, Legislative Council,*

Nineteenth December, 1836.

On motion made and seconded; it was,

Ordered, that the said bill, together with the report thereon, be referred to a Committee of the whole House, to-morrow.

A Deputation from the Commons House of Assembly brought up a bill entitled, "An Act to incorporate certain persons under the style of the Upper Canada Loan and Trust Company," to which they requested the concurrence of this House: and they also brought up and delivered at the Bar of this House a Message, and then withdrew.

The Honorable Mr. Wells enters.

The bill entitled, "An Act to incorporate certain persons under the style of the Upper Canada Loan and Trust Company," was then read; and it was,

Ordered, that the same be read a second time to-morrow.

The Message received from the Commons House of Assembly this day, as also the Resolution accompanying the same, were then read by the Clerk, as follows:—

Petitions of John McDonald, and others; and, The Members of the Scotch Church, at Ramsay, brought up. Report of the Select Committee upon Caledonia Springs Company incorporation bill, presented.

Read.

The Report.

Upper Canada Loan and Trust Company's bill; and,

A Message, brought up from the Assembly.

A Member enters.

Upper Canada Loan and Trust Company's bill, read first time.

Message from the Assembly, read.

Monday, 19th December, 1836.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

MR. SPEAKER,

The Commons House of Assembly communicate to the Honorable the Legislative Council, a Resolution, passed on the appropriation of the Clergy Reserves, and the proceeds arising from the sale thereof, and request the concurrence of your Honorable House therein.

The Message, communicating a Resolution of that House for concurrence on the subject of the Clergy Reserves.

(Signed)

ARCHIBALD McLEAN,

SPEAKER.

*Commons House of Assembly,*  
15th December, 1836.

*Resolved*—That it is desirable that the lands commonly called the Clergy Reserves, and the proceeds arising from the sales thereof, be appropriated for the promotion of the religious and moral instruction of the people throughout this Province.”

The Resolution.

Extract from the Journal of the Assembly, 16th December, 1836.

(Signed)

JAMES FITZGIBBON,

CLERK OF ASSEMBLY.

On motion made and seconded; it was,

Ordered, that the said Resolution be referred to a Committee of the whole House, on Wednesday next.

The Honorable Mr. Morris, from the Select Committee, to whom was referred the bill entitled, “An Act to raise by Debenture a sum of money for the improvement of Windsor Harbour, in the township of Whitby, in the Home District, and for other purposes therein mentioned,” presented their Report.

Report of the Select Committee upon Windsor Harbour loan bill, presented.

Ordered, that it be received; and,

The same was then read by the Clerk as follows:

Read.

TO THE HONORABLE THE LEGISLATIVE COUNCIL:

The Committee appointed to examine and report on the bill sent up from the Commons House of Assembly, entitled, “An Act to raise by Debenture a sum of money for the improvement of Windsor Harbour, in the township of Whitby, in the Home District, and for other purposes therein mentioned,” have examined the several provisions of the bill, and find that the first clause makes an appropriation, from the general revenues of the Province, of the sum of nine thousand pounds, to be raised by Debenture, at a rate of interest not exceeding six per centum per annum, to be applied in the improvement of the Harbour at Windsor.

The Report.

The following seven clauses regulate the manner of issuing and redeeming the Debentures.

The ninth authorises His Excellency the Lieutenant Governor to appoint three Commissioners to carry the provisions of the Act into effect, whose duty it shall be to cause a survey and plans to be made, with an estimate of the expense of such improvements, with power to contract for the completion of all or any part of the necessary works.

By the eleventh clause the said Commissioners have authority to appoint such Engineers, Agents, Officers, Workmen and Servants, as they may think fit, and pay them such salaries as they may deem just.

Your Committee have no means of coming to a satisfactory determination as to whether the sum proposed is at all likely to meet the necessary expenditure, which the improvement of the Harbour in question will create; the only survey which has ever been made, as far as your Committee can learn, of Windsor Bay, was that by J. G. Chewett, and Hugh Richardson, Esquires, in March 1835, and as these Gentlemen made the examination at a season of the year when the Bay was frozen, it may reasonably be supposed that they had not the best opportunity of judging of obstacles which may exist, and which may be found hereafter very materially to augment the cost of the work beyond the sum which they estimated the improvements at.

The undertaking of this work would have been much more satisfactory to Your Committee, had a proper survey been made during the past season, under the direction of a scientific Engineer. But as this has yet to be done, Your Committee would suggest, that the bill should be so amended as to prevent the commencement of the work, until the report of the Engineer to be employed is submitted to the Legislature; and as the Gentlemen in charge of the Saint Lawrence Canal might in the course of a few days be enabled to examine the Bay, it appears to Your Committee that the necessary information could still be obtained before the water is frozen over; or if this is deemed impracticable at present, Your Committee think that no

Monday, 19th December, 1836.

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commencement should be made until the estimates are laid before His Excellency the Lieutenant Governor, and approved of as not greatly exceeding the amount granted by the bill.

Your Committee are duly impressed with the importance of improving Windsor Bay, and would most unwillingly throw obstacles in the way of any measure having that object in view, at the same time they cannot recommend the immediate commencement of a work involving the revenues of the Province to an amount, for aught Your Committee know, far exceeding the estimated expenditure.

All which is respectfully submitted,

(Signed)

W. MORRIS,  
CHAIRMAN

*Committee Room, Legislative Council,*  
Nineteenth December, 1836.

On motion made and seconded; it was,

Ordered, that the said bill, together with the report thereon, be referred to a Committee of the whole House to-morrow.

Several Messages from His Excellency the Lieutenant Governor, were delivered by Mr. Secretary Joseph, who being retired, the Speaker read the same; and they were again read by the Clerk as follows:

F. B. HEAD,

The Lieutenant Governor desires to bring under the consideration of the Legislative Council, a difficulty which arises in the construction of the Act of the Provincial Parliament, passed in its last Session, and lately assented to by His Majesty, entitled, "An Act granting to His Majesty a sum of money to complete the payment of the War Losses," which he laments will have the effect of delaying the payment of the monies thereby appropriated.

As the Act now stands, it will be perceived, that the Lieutenant Governor has no power to direct the payment of the sum of £20,000 out of the Provincial Revenue, or the sum of £20,000 out of the Casual and Territorial Revenue of the Crown, until the whole sum necessary to complete the balance of the War Loss claims shall have been placed in the hands of the Receiver General, which, in reference to the message recited in the Act, it will be seen cannot be accomplished, without an application by His Majesty's Government to the Imperial Parliament as to a portion of that sum.

The Lieutenant Governor informs the Legislative Council, that should the two Houses of the Legislature concur in any measure which would enable him to carry into immediate effect the intentions of His Majesty's Government, with respect to the two sums of £20,000 above mentioned, according to the message recited in the Act, he will be happy to give his sanction thereto.

*Government House,*  
19th December, 1836.

F. B. HEAD,

The Lieutenant Governor transmits, for the information of the Legislative Council, the Population Returns of the several Districts of this Province, for the year 1836, and also such Assessment Returns as have been received for the same period.

*Government House,*  
19th December, 1836.

F. B. HEAD,

The Lieutenant Governor transmits, for the information of the Legislative Council, the accompanying copy of the Report of the Commissioners of the River Trent Bridge, for the year 1836.

*Government House,*  
19th December, 1836.

F. B. HEAD.

The Lieutenant Governor transmits, for the information of the Legislative Council, the accompanying copy of the annual Report of the Commissioners of the Burlington Bay Canal, for the year 1836.

*Government House,*  
19th December, 1836.

Messages from His Excellency the Lieutenant Governor:

On the subject of the bill passed last Session for completing the payment of the War Losses:

Transmitting the Population and Assessment Returns;

Transmitting a copy of the Report of the River Trent Bridge Commissioners.

Transmitting a copy of the Report of the Commissioners of the Burlington Bay Canal.

Tuesday, 20th December, 1836.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

F. B. HEAD,

31st August, 1836. The Lieutenant Governor transmits, for the information of the Legislative Council, the accompanying copy of a circular Despatch, which he has recently received from the Secretary of State for the Colonies, relative to measures adopted by various Colonial Legislatures, for revising and altering the rates at which different Coins should pass current, and be a legal tender, with reference to local monies of account.

Transmitting the copy of a circular Despatch on the subject of the Currency.

*Government House,*

19th December, 1836.

(For the copy of the circular Despatch—See Appendix E.)

On motion made and seconded; it was,

Ordered, that an Address be presented to His Excellency the Lieutenant Governor, respectfully thanking him for his several Messages received this day, transmitting the Population and Assessment Returns; the copy of a Report of the River Trent Bridge Commissioners; the copy of a Report of the Commissioners of the Burlington Bay Canal; the copy of a circular Despatch on the subject of the Currency of this Province, and on the subject of the War Loss bill, passed at the last Session by the two branches of the Provincial Legislature, and assuring His Excellency, that this House will not fail to give the latter subject their most attentive consideration; and,

Address of thanks ordered to be presented to His Excellency for his several Messages.

Ordered, that the Honorable Messieurs Allan and Baldwin, do present the same.

Members appointed therefor.  
House adjourns.

On motion made and seconded, the House adjourned.

TUESDAY, 20th DECEMBER, 1836.

The House met pursuant to adjournment.

House meets.

PRESENT:

*The Honorable JOHN B. ROBINSON, SPEAKER.*

*The Honorable Messrs. HAMILTON,*

*The Honorable Messrs. CROOKSHANK,*

“ “ ADAMSON,

“ “ ALLAN,

“ “ JAMES KERBY,

“ “ McDONELL,

“ “ CROOKS,

“ “ BALDWIN,

“ “ MORRIS.

Members present.

Prayers were read.

The Minutes of yesterday were read.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, “An Act to establish a Bank at Brockville, in the District of Johnstown,” together with the Report of the Select Committee thereon.

Brockville Bank bill, committed.

The Honorable Mr. Allan took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said bill, and the report thereon, into consideration, had made some progress therein, and asked leave to sit again next Monday se’nnight.

Reported, and leave asked to sit again.

Ordered, that the report be received, and leave granted accordingly.

Leave granted.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, “An Act to incorporate a Joint Stock Company for the improvement of the Mineral Springs, in the Township of Caledonia, in the Ottawa District,” together with the Report of the Select Committee thereon.

Caledonia Springs Company incorporation bill, committed.

The Honorable Mr. Baldwin took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said bill, and had made an amendment thereto, which they were ready to submit whenever the House would be pleased to receive the same.

Amendment reported.

Ordered, that the report be received to-morrow.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, “An Act to raise by Debenture a sum of money for the improvement of Windsor Harbour, in the Township of Whitby, in the Home District, and for other purposes therein mentioned,” together with the report of the Select Committee thereon.

Windsor Harbour loan bill, committed.

The Honorable Mr. Hamilton took the Chair.

After some time the House resumed.

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Reported, and leave asked to sit again.

The Chairman reported, that the Committee had taken the said bill, and the report thereon, into consideration, had made some progress therein, and asked leave to sit again on Monday the ninth day of January next.

Leave granted.

Ordered, that the report be received, and leave granted accordingly.

Upper Canada Loan and Trust Company's bill, read second time.

Pursuant to the order of the day, the bill entitled, "An Act to incorporate certain persons under the style of the Upper Canada Loan and Trust Company;" was read a second time; and it was,

Ordered, that on Monday the ninth day of January next, the House be put into a Committee of the whole to take the same into consideration.

Petitions of D. Clark, and others; The Members of the Scotch Church, at Bytown and Ramsay; James Wylie, and others;

The Honorable Mr. Morris brought up the petition of D. Clarke, and others, inhabitants of the Ottawa, Eastern and Johnstown, Districts; also the petition of the Kirk Session, and Congregation of Saint Andrew's Church, at Bytown, in connection with the Established Church of Scotland; and also the Petition of James Wylie, and others, inhabitants of the township of Ramsay, in the District of Bathurst, in connection with the Church of Scotland; which were laid on the table.

Richard Wilkins; and, Asa A. Burnham, and others, brought up.

The Honorable Mr. Crooks brought up the petition of Richard Wilkins, of the Town of Brantford, in the District of Gore; and also the petition of Asa A. Burnham, and others, inhabitants of Cobourg and Amherst; which were laid on the table.

Report of the Joint Committee on the subject of a division of Districts, presented.

The Honorable Mr. Baldwin, from the Joint Committee to whom was referred the consideration of the subject of a division of Districts, presented their Report.

Ordered, that it be received; and,

Read.

The same was then read by the Clerk, as follows:—

The Report.

The Joint Committee of the Honorable the Legislative Council, and Commons House of Assembly, to whom was referred the subject of the division of Districts, have given the matter referred to them their best consideration, and agreed to the following Report, viz :

*First*,—That the District of Ottawa do henceforth consist of the townships of Hawkesbury, (East and West); Longueuil; Caledonia; Alfred; Plantagenet; Clarence; Cumberland; Russell; Cambridge; Lochiel, (the five Northern Concessions); Kenyon, (the four Northern Concessions); together with such Islands in the Ottawa River, as are wholly or in greater part opposite the said District.

*Second*,—That the Eastern District do henceforth consist of the townships of Lancaster; Charlottenburgh; Indian Lands; Cornwall; Osnaburgh; Williamsburgh; Matilda; Mountain; Winchester; Finch; Roxburgh; five Southern Concessions of Kenyon; four Southern Concessions of Lochiel,

*Third*,—That the District of Dalhousie do henceforth consist of the townships of Nepean; Goulbourn; March; Huntly; Torbolton and Fitzroy, from the District of Bathurst; North Gower and Marlborough, from the District of Johnstown; Gloucester and Osgoode, from the District of Ottawa: with such Islands in the Ottawa River, as are wholly or in greater part opposite to the said townships.

*Fourth*,—That the District of Bathurst do henceforth consist of the townships of North and South Sherbrooke; Bathurst; Drummond; Beckwith; Dalhousie; Lanark; Ramsay; Darling; Lavant; Pakenham; McNab; Horton; Ross; Pembroke; Westmeath; Montague, and such parts of North Crosby, Burgess and Elmsley, as lie on the North side of the Rideau waters, together with the unsurveyed lands in the District of Bathurst, and such Islands in the Ottawa River, as are wholly or in greater part opposite to the said District.

*Fifth*,—That the District of Johnstown do henceforth consist of the townships of Edwardsburgh; Augusta; Elizabethtown; Yonge; Lansdowne; Leeds; South Crosby; Bastard; Kitley; Woodford; Oxford; South Gower, and such parts of North Crosby, Burgess and Elmsley, as lie South of the Rideau waters.

*Sixth*,—That the Midland District do henceforth consist of the townships of Pittsburgh; Kingston; Loughborough; Portland; Ernestown; Camden East; Fredericksburgh; Richmond; Sheffield; Hinchbrook; Bedford; Osso; Olden; Kennebeck; Caledar; Anglesea; Barrie; Clarendon; Palmerston; Adolphustown, together with the Islands lying wholly or greater part opposite thereto, and with all the unsurveyed lands lying North of said District.

*Seventh*,—That the County of Hastings, together with two townships from the Newcastle District, viz. Murray and Seymour, do form the District of Hastings; and also the unsurveyed lands North of the said County, together with such Islands lying wholly or in greater part opposite thereto.

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SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

*Eighth*,—That the District of Newcastle do henceforth consist of the townships of Cramahé; Haldimand; Hamilton; Hope; Clark; Darlington; Cartwright; Manvers; Cavan; seven Southerly Concessions of Monaghan; Alnwick and Percy; together with such Islands lying wholly or in greater part opposite thereto.

*Ninth*,—That the District of Colborne do henceforth consist of the townships of Belmont; Methuen; Burleigh; Dummer; Asphodel; Otonabee; Douro; Smith; Ennismore; Harvey; Verulam; Emily; Ops; Fenelon; Mariposa; Eldon; Bexley; Somerville, and the seven rear Concessions of Monaghan, together with the unsurveyed lands in rear thereof; together with such Islands, lying wholly or in greater part opposite thereto.

*Tenth*,—That the Home District do henceforth consist of the townships of Whitby; Pickering; Scarborough; York; Etobicoke; Toronto; Chinguacouey; Gore of Toronto; Vaughan; Markham; Reach; Uxbridge; Whitechurch; King; Albion; Caledon; East and North Gwillimbury; Scott; Brock; Georgina; Thorah; Mara and Rama; together with all the Islands lying wholly or in greater part opposite thereto, in Lakes Ontario, Simcoe and Huron, and all the unsurveyed lands lying north thereof.

*Eleventh*,—That the District of Simcoe do henceforth consist of the townships of West Gwillimbury; Tecumseth; Adjala; Mono; Mulmer; Tosorontio; Essa; Innisfil; Notawasaga; Sunnidale, Vespra; Oro; Orillia; Medonte; Flos; Tiny; Tay; Machitas; together with the Islands in Lakes Huron and Simcoe, lying wholly or in greater part opposite thereto.

*Twelfth*,—That the District of Gore do henceforth consist of the townships of Dumfries; Beverley; Puslinch; Nassagaweya; Esquesing; Trafalgar; Nelson; East and West Flamborough; Ancaster; Brantford; Indian Lands, (as formerly); Glanford; Barton; Saltfleet, and Binbrook; together with that part of the County of Haldimand lying to the north-west of a line running from the westerly angle of the County of Haldimand, to the westerly angle of the township of Caister; as also the Peninsula of Burlington Bay.

*Thirteenth*,—That the District of Wellington do henceforth consist of the townships of Proton; Luther; Melanethon, and Amaranth, from Simcoe; Garafraxa; Erin; Eramosa; Guelph; Nichol; Waterloo; Wilmot; Woolwich; reserved lands, west of Woolwich and Nichol; triangular piece of land adjoining the said tract, in the proposed District of Huron; part of the late purchase from the Indians from Gore; and part of Indian lands.

*Fourteenth*,—That the District of Niagara do henceforth consist of the townships of Niagara; Grantham; Louth; Clinton; Grimsby; Caister; Gainsborough; Thorold; Stamford; Willoughby; Crowland; Pelham; Bertie; Humberstone; Wainfleet; Molton; Walpole; Rainham; County of Haldimand, except so much of said County as lies to the north-west of a stright line running from the westerly angle thereof, to the westerly angle of the township of Caister; together with such Islands, being wholly or in greater part opposite thereto.

*Fifteenth*,—That the District of Brock do henceforth consist of the townships of Zorra; Blanford; Blenheim; Oxford, (three divisions); Burford; Oakland; Townsend; Windham; Norwich; Dereham; Bayham; Middleton; Charlotteville; Woodhouse; Houghton, and Walsingham; together with the Promontary of Long Point, and such Islands, being wholly or in greater part opposite thereto.

*Sixteenth*,—That the District of London do henceforth consist of the townships of Malahide; Yarmouth; Southwold; Dunwich; Aldborough; South and North Dorchester; Westminster; Delaware; Carradoc; Ecfred; Mosa; Nissouri; London; Lobo, and Adelaide.

*Seventeenth*,—That the Western District do henceforth consist of the Townships of Orford; Howard; Harwich; Raleigh; Romney; Tilbury, (East and West); Mersea; Gosfield; Colchester; Malden; Huron Lands; Sandwich; Maidstone; Rochester; East and West Dover; Chatham; Camden West, and Baldoon; together with the Islands opposite the said District.

*Eighteenth*,—That the District of Moore do henceforth consist of the townships of Bosanquet; Plympton; Moore; Sarnia; Inniskillen; Warwick; Dawn; Sombra; Zone, and Brooke; together with the Islands lying in front of the said District.

*Nineteenth*,—That the District of Huron do henceforth consist of the townships of Williams; McGillivray; Stephen; Hay; Stanley; Goderich; Colborne; Hulet; Tuckersmith; Osborne; Biddulph; Blanchard; Hibbert; McKillop; Logan; Fullarton; Downey; Ellice; North and South Easthope, and Ashfield; together with the unsurveyed Lands lying north thereof, bounded by a line running from the south-east angle of the township of Ashfield, as far as the said District extends on a course to the south-west angle of Luther.



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*Twentieth.*—That the following Territory do compose the District of Brant, viz: Commencing at the shore of Lake Huron, at the north-westerly limit of the township of Ashfield; then on a line running easterly to the south-west angle of the township of Luther; then north-westerly along the western limits of the townships of Luther, Proton and Artamesia, to the south-west angle of the township of Euphrasia; then westerly in a direct line to Lake Huron, at Sandy Beach; then southerly along the margin of Lake Huron to the aforesaid north-west angle of Ashfield, together with the Islands lying adjacent thereto.

*Twenty-first.*—That the following townships do compose the District of Tecumseth, viz: Artamesia; O'Spy; Collingwood; Saint Vincent, and Euphrasia; together with all the unsurveyed Lands and the Islands adjacent thereto, lying north-west of the District of Brant.

All which is respectfully submitted,

(Signed) A. BALDWIN,  
CHAIRMAN, *Legislative Council.*  
A. MANAHAN,  
CHAIRMAN, *House of Assembly.*

*Committee Room of the Legislative Council,*

Twentieth December, 1836.

Petition of the  
Hamilton Literary  
Society, brought up.

The Honorable the Speaker brought up the petition of the Hamilton Literary Society; which was laid on the table.

Standing forms bill,  
brought in.

The Honorable the Speaker brought in a bill for preventing the necessity of repeating in different Statutes certain forms of enactment.

Read first time,  
and ordered to be  
printed.

The said bill was then read; and it was,

Ordered, that the same be read a second time to-morrow; and that two hundred copies thereof be printed for the use of Members.

Private Banking  
Prohibition bill,  
brought in.

The Honorable the Speaker brought in a bill to protect the Public against injury from Private Banks.

Read first time.

The said bill was then read; and it was,

Ordered, that the same be read a second time to-morrow.

House adjourns.

On motion made and seconded, the House adjourned.

WEDNESDAY, 21st DECEMBER, 1836.

House meets.

The House met pursuant to adjournment.

PRESENT :

Members present.

*The Honorable* JOHN B. ROBINSON, SPEAKER.  
*The Hon. & Ven. The* ARCHDEACON OF YORK,  
*The Honorable Messrs.* WELLS,  
" " ALLAN,  
" " McDONELL,  
" " BALDWIN,

*The Honorable Messrs.* HAMILTON,  
" " ADAMSON,  
" " JAMES KERBY,  
" " CROOKS,  
" " MORRIS,  
" " MACAULAY.

Prayers were read.

The Minutes of yesterday were read.

Resolution of the  
Assembly on the  
subject of the Clergy  
Reserves, committed.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the Resolution of the Commons House of Assembly, on the subject of the Clergy Reserves.

The Honorable Mr. Allan took the Chair.

After some time the House resumed.

Reported, and a Confe-  
rence recommended.

The Chairman reported, that the Committee had taken the said Resolution into consideration, and recommended that a Conference be desired with the Commons House of Assembly on the subject matter thereof.

Ordered, that the report be received; and,

Same ordered.

Ordered, that a Conference be desired with the Commons House of Assembly, on the subject matter of their Resolution; and,

Conferrees appointed;

Ordered, that the Honorable Messieurs Crooks and Macaulay, be appointed the Conferrees on the part of this House for that purpose; and,

And the Assembly  
acquainted thereof.

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council desire a Conference with the Commons House of Assembly, on the subject matter of the Resolution transmitted by that House on the nineteenth instant,

Wednesday, 21st December, 1836.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

relating to the disposal of the Clergy Reserves; and have appointed the Honorable Messieurs Crooks and Macaulay to be a Committee for that purpose, who will be ready to meet a Committee of the Assembly, in the Committee Room of the Legislative Council, at eleven of the clock, A.M. to-morrow.

The Honorable Mr. Crookshank enters.

Pursuant to the order of the day, the Honorable Mr. Baldwin, from the Committee of the whole upon the bill, entitled, "An Act to incorporate a Joint Stock Company for the improvement of the Mineral Springs in the township of Caledonia, in the Ottawa District," presented the amendment made in and to the same.

The said amendment was then read by the Clerk as follows:

Add to the bill—"And be it further enacted by the authority aforesaid, that notwithstanding the privileges hereby conferred, the Legislature may, at any time hereafter, make such addition to this Act, or such alteration of any of its provisions as they may think proper for affording just protection to the public, or to the rights of private individuals."

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House; and it was,

Ordered, that it be engrossed, and the same read a third time to-morrow.

Pursuant to the order of the day, the bill for preventing the necessity of repeating in different Statutes, certain forms of enactment; and also the bill to protect the public against injury from private Banks, were severally read a second time; and it was,

Ordered, that the House be put into Committees of the whole, to-morrow, to take the same into consideration.

Pursuant to the order of the day, the petition of Ezekiel Foster, and others, of the Eastern parts of the London District, praying to be erected into a separate District, with Simcoe as the District Town thereof; also two petitions of William G. Ray, and others, inhabitants of Darlington, and the adjoining townships, praying to be incorporated for the purpose of constructing a Harbour at the mouth of Barber's Creek, and praying for a grant of money to be expended on the road from the rear to the front townships; also the petition of the District of Gore Agricultural Society, praying for the incorporation of Societies in the several Districts of this Province; also the petition of Daniel Fisher, and others, of Bytown, praying for an increase of Capital to the Bank of Upper Canada, and the Bank of the Midland District, and that the said institutions may be required to keep in the hands of their Agents, at the said Town, £200,000 for their accommodation; also the petitions of the Kirk Session, and the Presbyterian Congregation, in Zorra, in the county of Oxford, in connection with the Church of Scotland, and of the Session, Trustees and Congregation, of Saint Andrew's Church, at Niagara, in connection with the Church of Scotland, respectively praying against the institution of Rectories within this Province; also the petition of the Session, Trustees and Congregation, of Saint Andrew's Church, at Niagara, in connection with the Church of Scotland, praying that the proceeds arising from the sale of the Clergy Reserves may be distributed among the various religious sects maintaining a consistent and effective mode of worship and discipline; also the petition of John McDonald, and others, freeholders of the township of Leeds, praying for an Act establishing the Western boundary line of the said township; and also the petition of the Minister and Elders of the Kirk Session of Ramsay, in connection with the Church of Scotland, praying against the institution of Rectories within this Province; were severally read:

The Honorable the Speaker brought up the petition of Robert Carter, of London, in England, now residing in the City of Toronto; which was laid on the table.

The Honorable Mr. Crooks brought up the petition of George Longley, and others, inhabitants of the Town of Prescott; which was laid on the table.

A Deputation from the Commons House of Assembly, brought up a bill, entitled, "An Act to provide for a Survey of the Ottawa River, and the Country bordering on it, together with the Country and waters lying between that River and Lake Huron;" to which they requested the concurrence of this House. They also brought up, and delivered at the Bar of this House, a Message in the following words, and then withdrew.

A Member enters.

Amendment to Caledonia Springs Company's incorporation bill, presented.

Read first time.

The amendment.

Read second time, and adopted.

Standing forms bill; and Private Banking Prohibition bill, read second time.

Petitions of Ezekiel Foster, and others;

William G. Ray, and others;

District of Gore Agricultural Society;

Daniel Fisher, and others;

Members of the Scotch Church in Zorra; and, Niagara;

John McDonald, and others; and,

The Members of the Scotch Church, at Ramsay, read.

Petitions of Robert Carter; and,

George Longley, and others, brought up.

Ottawa River Survey bill, brought up from the Assembly; and,

A Message therefrom:

Thursday, 22nd December, 1836.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

MR. SPEAKER :

Acceding to a Conference on the subject of the Resolution of that House relating to the Clergy Reserves.

The Commons House of Assembly accede to the request of the Honorable the Legislative Council, for a Conference upon the Resolution, passed by this House, on the subject of the Clergy Reserves, and have appointed four of their Members, who will be ready to meet the Committee appointed by your Honorable House, at the time and place appointed.

(Signed)

ARCHIBALD McLEAN,  
SPEAKER.

*Commons House of Assembly,*

21st December, 1836.

Ottawa River Survey bill, read first time.

The bill entitled, "An Act to provide for a Survey of the Ottawa River and the Country bordering on it, together with the Country and waters lying between that River and Lake Huron," was read: and it was,

Ordered, that the same be read a second time to-morrow.

On motion made and seconded; it was,

Ordered, that the Committee of Conference, on the part of this House, upon the subject matter of the Resolution of the Commons House of Assembly, relating to the disposal of the Clergy Reserves, be instructed to represent:

Instructions to the Conference of this House, on the subject of the Resolution of the Assembly relating to the Clergy Reserves.

That in requesting a Conference with the House of Assembly, upon the subject of the Resolution respecting the Clergy Reserves, which has been sent up for concurrence, the Legislative Council desire to explain to the House of Assembly, that as they look upon the support of the Ministers of religion to be the surest and best means of promoting the religious and moral instruction of the people throughout this Province, they would most cordially unite with the Assembly in the Resolution sent up to them, if they were at liberty to assume, that in the term "moral instruction," the House of Assembly intended to include nothing distinct from, or independent of religion, but that moral instruction only which proceeds from inculcating the doctrines and precepts of the Gospel.

That the Legislative Council, being unwilling to subject themselves to the possibility of misconstruction on a point of such great and general importance, wish to avoid being left in doubt as to what the Assembly may have intended to embrace in the term "moral instruction"—and if the House of Assembly shall concur in thinking that the more conclusive and convenient form of expressing explicitly their meaning in this respect, would be by some definite measure of appropriation, which must necessarily originate in the Assembly, the Legislative Council would much prefer having the opportunity of exercising their judgment upon such a measure, to the making a mere declaration of opinion in terms which may be so easily misconstrued.

The Legislative Council beg further to assure the Assembly, that their desire to unite with them in some definite and conclusive settlement of this question is strong and sincere; and that they will be found willing to go every reasonable length in meeting the wishes of the other branches of the Legislature, keeping in view, as they feel bound to do, the necessity of making an adequate provision for the religious instruction of the people, and the maintenance of public worship throughout the Province. That these objects may be most advantageously combined with moral instruction, there can be no doubt; but the anxiety of the Legislative Council is to have some intimation of the means by which the House of Assembly would propose to combine them.

House adjourns.

On motion made and seconded, the House adjourned until to-morrow, at eleven of the clock, A. M.

THURSDAY, 22nd DECEMBER, 1836.

House meets.

The House met pursuant to adjournment.

PRESENT :

Members present.

*The Honorable JOHN B. ROBINSON, SPEAKER.*

*The Honorable Messrs. CROOKS,*

*The Hon. & Ven. The ARCHDEACON OF YORK,*

" " MORRIS,

*The Honorable Messrs. ADAMSON,*

" " MACAULAY.

" " JAMES KERBY.

Prayers were read.

The Minutes of yesterday were read.

Thursday, 22nd December, 1836.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

Pursuant to the order of the day, the bill entitled, "An Act to incorporate a Joint Stock Company, for the improvement of the Mineral Springs in the township of Caledonia, in the Ottawa District," was, as amended, read a third time; and it was,

Ordered, that the said bill, as amended, do not now pass, but that it be further amended as follows:

Press 3, Line 9—after "Directors" insert "being Subjects of His Majesty."

The question being put, whether this bill as amended should pass, it was carried in the affirmative:

Whereupon the Speaker signed the amendments; and it was,

Ordered, that the Master in Chancery do go down to the Assembly and acquaint that House, that the Legislative Council has passed this bill with certain amendments, to which they desire the concurrence of the Commons House of Assembly.

The order of the day being read for putting the House into a Committee of the whole, upon the bill for preventing the necessity of repeating in different Statutes certain forms of enactment; it was,

Ordered, that it be discharged, and that the same do stand upon the order of the day for next Monday se'night.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill to protect the public against injury from Private Banks.

The Honorable Mr. Crooks took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said bill into consideration, had made some progress therein, and asked leave to sit again next Monday se'night.

Ordered, that the report be received, and leave granted accordingly.

The Honorable Mr. Crookshank enters.

Pursuant to the order of the day, the bill entitled, "An Act to provide for a Survey of the Ottawa River, and the Country bordering on it, together with the Country and waters lying between that River and Lake Huron," was read a second time; and it was,

Ordered, that the House be put into a Committee of the whole next Monday se'night, to take the same into consideration.

Pursuant to the order of the day, the petition of D. Clark, and others, inhabitants of the Eastern, Ottawa and Johnstown, Districts, praying for an Act authorising the improvement of the Navigation of the River Petite Nation; also the petition of the Kirk Session and Congregation of St. Andrew's Church, at Bytown, in connection with the Established Church of Scotland; and of James Wylie, and others, inhabitants of the township of Ramsay, in the District of Bathurst, in connection with the Church of Scotland, respectively praying against the institution of Rectories within this Province; also the petition of Richard Wilkins, of the Town of Brantford, in the District of Gore, praying for an Act conferring upon him the rights and privileges of a British Subject; also the petition of Asa A. Burnham, and others, inhabitants of Cobourg and Amherst, praying against the incorporation of same; and also the petition of the Hamilton Literary Society, praying for aid; were severally read.

The Honorable Mr. Crooks, from the Committee of Conference on the part of this House, on the subject matter of the Resolution of the Assembly, relating to the disposal of the Clergy Reserves, reported, that the Honorable Mr. Macaulay and himself, had met the Conferrees appointed on the part of the Commons House of Assembly, and delivered to them the instructions of this House.

The Honorable Mr. McDonell enters.

A Deputation from the Commons House of Assembly brought up a bill, entitled, "An Act to provide for the appointment of Trustees of School Lands in the several Districts of the Province, and for other purposes therein mentioned," to which they requested the concurrence of this House, and then withdrew.

The said bill was then read; and it was,

Ordered, that the same be read a second time next Monday se'night.

On motion made and seconded, the House adjourned until Monday next, at one of the clock, P.M.

Caledonia Springs Company's incorporation bill, as amended, read a third time, but not passed.

A further amendment ordered.

The further amendment.

Bill, as amended, passed.

Amendments signed;

And sent to the Assembly for concurrence.

Standing forms bill, discharged from the order of the day.

Private Banking Prohibition bill, committed.

Reported, and leave asked to sit again.

Leave granted.

A Member enters.

Ottawa River Survey bill, read second time.

Petitions of D. Clark, and others;

The Members of the Scotch Church at Bytown and Ramsay;

James Wylie, and others;

Richard Wilkins;

Asa A. Burnham, and others; and,

The Hamilton Literary Society, read.

Report of the Committee of Conference on the Resolution of the Assembly relating to the Clergy Reserves.

A Member enters.

School Lands Trustee bill, brought up from the Assembly.

Read first time.

House adjourns.

26th & 27th December, 1836—and 2nd & 3rd January, 1837.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

MONDAY, 26th DECEMBER, 1836.

At two of the clock, P. M. there were—

PRESENT :

Members present.	<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> McDONELL,
	<i>The Honorable Messrs.</i> CROOKSHANK.	“ “ MORRIS,
	“ “ MARKLAND.	

No quorum. The Honorable the Speaker adjourned the House for want of a quorum.

TUESDAY, 27th DECEMBER, 1836.

House meets. The House met pursuant to adjournment.

PRESENT :

Members present.	<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> McDONELL,
	<i>The Honorable Messrs.</i> WELLS,	“ “ MORRIS,
	“ “ CAMERON,	“ “ MACAULAY.
	“ “ MARKLAND,	

Prayers were read.

The Minutes of Thursday last, and yesterday were read.

Petitions of Robert Carter; and,

Pursuant to the order of the day, the petition of Robert Carter, of London, in England, now residing in the City of Toronto, praying for an Act authorising the Bank of British North America to sue and be sued, without using the names of all the partners concerned in the company; and also the petition of George Longley, and others, inhabitants of the Town of Prescott, praying for an Act establishing a Bank therein; were severally read.

George Longley, and others, read.

Petition of the Members of the Richmond Temperance Society, brought up.

The Honorable Mr. Morris brought up the petition of the Members of the Richmond Temperance Society; which was laid on the table.

House adjourns.

On motion made and seconded, the House adjourned until Monday next, at the hour of one of the clock, P.M.

MONDAY, 2nd JANUARY, 1837.

House meets. The House met pursuant to adjournment.

PRESENT :

Members present.	<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> JAMES KERBY,
	<i>The Honorable Messrs.</i> MARKLAND,	“ “ MORRIS,
	“ “ ALLAN,	“ “ MACAULAY,
	“ “ McDONELL,	

Prayers were read.

The Minutes of Tuesday last were read.

House adjourns.

On motion made and seconded, the House adjourned.

TUESDAY, 3rd JANUARY, 1837.

House meets. The House met pursuant to adjournment.

PRESENT :

Members present.	<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> JAMES KERBY,
	<i>The Honorable Messrs.</i> ALLAN,	“ “ MORRIS,
	“ “ McDONELL,	“ “ MACAULAY.
	“ “ BALDWIN,	

Prayers were read.

The Minutes of yesterday were read.

Brockville Bank bill, re-committed.

Pursuant to the order of the day, the House was again put into a Committee of the whole upon the bill, entitled, “An Act to establish a Bank at Brockville, in the District of Johnstown,” together with the report of the Select Committee thereon.

The Honorable Mr. Allan took the Chair.

After some time the House resumed.

Wednesday, 4th January, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

The Chairman reported that the Committee had taken the said bill and report into consideration, had made some progress therein, and asked leave to sit again this day se'nnight. Reported, and leave asked to sit again.

Ordered, that the report be received, and leave granted accordingly. Leave granted.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill for preventing the necessity of repeating in different Statutes certain forms of enactment. Standing forms bill, committed.

The Honorable Mr. Macaulay took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said bill into consideration, had made some progress therein, and asked leave to sit again on Thursday next. Reported, and leave asked to sit again.

Ordered, that the report be received, and leave granted accordingly. Leave granted.

The order of the day being read, for the House to be again put into a Committee of the whole, upon the bill to protect the public against injury from private Banks; it was, Private Banking Prohibition bill, discharged from the order of the day.

Ordered, that it be discharged, and that the same do stand upon the order of the day for this day fortnight.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill, entitled, "An Act to provide for a Survey of the Ottawa River, and the Country bordering on it, together with the Country and waters lying between that River and Lake Huron." Ottawa River Survey bill, committed.

The Honorable Mr. Morris took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said bill into consideration, had made some progress therein, and asked leave to sit again this day se'nnight. Reported, and leave asked to sit again.

Ordered, that the report be received, and leave granted accordingly. Leave granted.

Pursuant to the order of the day, the bill entitled, "An Act to provide for the appointment of Trustees of School Lands in the several Districts of the Province, and for other purposes therein mentioned," was read a second time; and it was, School Lands Trustee bill, read second time.

Ordered, that the House be put into a Committee of the whole to-morrow, to take the same into consideration.

Pursuant to the order of the day, the petition of the Members of the Richmond Temperance Society, praying for an Act whereby the facilities to Distillers, in the manufacturing of ardent spirits, may be greatly lessened; was read. Petition of the Members of the Richmond Temperance Society, read.

The Honorable Mr. Allan brought up the petition of Daniel Lizars, and others, inhabitants of the County of Huron; which laid on the table. Petitions of Daniel Lizars, and others;

The Honorable Mr. James Kerby brought up the petition of Benjamin Canley, and others, inhabitants of the District of Niagara; which was laid on the table. and Benjamin Canley, and others, brought up.

On motion made and seconded, the House adjourned. House adjourns.

WEDNESDAY, 4th JANUARY, 1837.

The House met pursuant to adjournment. House meets.

PRESENT :

*The Honorable* JOHN B. ROBINSON, SPEAKER.

*The Honorable* Mr. CROOKSHANK,

*The Hon. & Ven. The* ARCHDEACON OF YORK,

*The Honorable Messrs.* MARKLAND,

" " McDONELL,

*The Honorable Messrs.* BALDWIN,

" " JAMES KERBY,

" " MORRIS,

" " MACAULAY.

Members present.

Prayers were read.

The Minutes of yesterday were read.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to provide for the appointment of Trustees of School Lands in the several Districts of the Province, and for other purposes therein mentioned." School Lands Trustee bill, committed.

The Honorable Mr. Markland took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said bill into consideration, had made some progress therein, and recommended that it be referred to a Select Committee, with power to send for persons and papers, and to report thereon by amendment or otherwise. Reported; and,

## Thursday, 5th January, 1837.

## FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

Referred to a Select Committee.	Ordered, that the report be received; and,
Members composing same.	Ordered, that the said bill be referred to a Select Committee, with power to send for persons and papers, and to report thereon by amendment or otherwise; and,
House adjourns.	Ordered, that the Honorable Messieurs Markland, James Kerby, and Macaulay, do compose the same for that purpose. On motion made and seconded, the House adjourned.

THURSDAY, 5th JANUARY, 1837.

House meets. The House met pursuant to adjournment.

## PRESENT:

Members present.	<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> BALDWIN,
	<i>The Hon. &amp; Ven. The</i> ARCHDEACON OF YORK.	“ “ JAMES KERBY,
	<i>The Honorable Messrs.</i> MARKLAND,	“ “ MORRIS.
	“ “ ALLAN.	

Prayers were read.

The Minutes of yesterday were read.

Standing forms bill, re-committed.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill for preventing the necessity of repeating in different Statutes certain forms of enactment.

The Honorable Mr. Morris took the Chair.

Message from the Assembly.

A Message being announced, the Chairman left the Chair, and the House formed.

Bills brought up.

A Deputation from the Commons House of Assembly brought up several bills, to which they requested the concurrence of this House, and then withdrew.

Standing forms bill, re-committed.

The House was then again put into a Committee of the whole, upon the bill for preventing the necessity of repeating in different Statutes certain forms of enactment.

The Honorable Mr. Morris took the Chair.

After some time the House resumed.

Reported.

The Chairman reported that the Committee had gone through the said bill, and recommended the same to the adoption of the House.

Adopted.

Ordered, that the report be received; and,

Ordered, that the said bill be engrossed, and read a third time to-morrow.

Speaker reports the receipt of King's College Charter amendment bill;

The Honorable the Speaker reported to the House, that a Deputation from the Commons House of Assembly had brought up a bill, entitled, "An Act to amend the Charter of the University of King's College"; also a bill entitled, "An Act granting a Charter to an incorporated Company, under the style and title of the President and Directors of the London and Devonport Rail-road and Harbour Company"; also a bill entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Bank of the Newcastle District"; and also a bill entitled, "An Act to establish a Police in the Town of Cobourg, and to define the limits of the said Town"; to which they requested the concurrence of this House.

London &amp; Devonport Rail-road bill;

Newcastle District Bank bill; and,

Cobourg Police bill, from the Assembly.

Read first time.

The said bills were then severally read; and it was,

Ordered, that they be read a second time to-morrow.

Petitions of Daniel Lizars, and others; and,

Pursuant to the order of the day, the petition of Daniel Lizars, and others, inhabitants of the County of Huron, praying for an Act forming a new District, to include the County of Huron and the Crown Lands to the north, with Goderich for the District Town; and also the petition of Benjamin Canley, and others, inhabitants of the District of Niagara, praying for an Act granting a sufficient sum of money to be expended in further improving the Great Western Canboro' Road, leading from the Falls of Niagara through Canboro' and Simcoe, in the London District; were severally read.

Benjamin Canley, and others, read.

Petitions of H. N. Perry, and others; and The President of the Port Burwell Harbour Company, brought up.

The Honorable Mr. James Kerby brought up the petition of H. N. Perry, and others; and also the petition of the President of the Port Burwell Harbour Company; which were laid on the table.

Petitions of B. McMahon, and others; Walter C. Crofton; and William Parker, and others, brought up.

The Honorable Mr. Morris brought up the petition of B. McMahon, and others, inhabitants of Presque Isle, and its vicinity, in the District of Newcastle; also the petition of Walter C. Crofton, of Cobourg; and also the petition of William Parker, and others, inhabitants of the Ottawa, Eastern and Johnstown Districts; which were laid on the table.

Friday, 6th January, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

The Honorable Mr. Morris, brought in a bill to establish the Boundary Lines in front of Lots on the River Thames, in the townships of Chatham and Camden, in the Western District.

Chatham and Camden Boundary Line bill, brought in.

The said bill was then read; and it was,

Read first time.

Ordered, that the same be read a second time to-morrow.

On motion made and seconded, the House adjourned.

House adjourns.

FRIDAY, 6th JANUARY, 1837.

The House met pursuant to adjournment.

House meets.

## PRESENT :

*The Honorable* JOHN B. ROBINSON, SPEAKER.

*The Honorable Messrs.* BALDWIN,

*The Honorable Mr.* CROOKSHANK,

“ “ JAMES KERBY,

*The Hon. & Ven. The* ARCHDEACON OF YORK,

“ “ MORRIS,

*The Honorable Mr.* ALLAN,

“ “ MACAULAY.

Members present.

Prayers were read.

The Minutes of yesterday were read.

Pursuant to the order of the day, the bill for preventing the necessity of repeating in different Statutes certain forms of enactment, was read a third time and passed; and it was,

Standing forms bill, read third time and passed.

Ordered, that the title be, “An Act to supply, by a general law, certain forms of enactment in common use, which may render it unnecessary to repeat the same in Acts to be hereafter passed:”

Title ordered.

Whereupon the Speaker signed the bill; and it was,

Bill signed;

Ordered, that the same be sent to the Commons House of Assembly, by the Master in Chancery, for the concurrence of that House.

And sent to the Assembly for concurrence.

A Deputation from the Commons House of Assembly brought up a bill, entitled, “An Act to establish a Life Insurance and Loan Company, at Brockville, in the District of Johnstown,” to which they requested the concurrence of this House, and then withdrew.

Brockville Insurance and Loan bill, brought up from the Assembly.

The said bill was then read; and it was,

Read first time; and,

Ordered, that the same be referred to a Select Committee, to report thereon by amendment or otherwise; and,

Referred to a Select Committee.

Ordered, that the Honorable Messieurs Baldwin and Macaulay, do compose the same for that purpose.

Members composing same.

Pursuant to the order of the day, the bill entitled, “An Act granting a charter to an incorporated company under the style and title of the President and Directors of the London and Devonport Rail-road and Harbour Company,” was read a second time; and it was,

London &amp; Devonport Rail-road bill, read second time.

Ordered, that the same be referred to a Select Committee, to report thereon by amendment or otherwise; and,

And referred to a Select Committee.

Ordered, that the Honorable Messieurs Crookshank and James Kerby, do compose the same for that purpose.

Members composing same.

Pursuant to the order of the day, the bill entitled, “An Act to amend the Charter of the University of King’s College,” was read a second time; and it was,

King’s College Charter amendment bill, read second time.

Ordered, that the same be referred to a Select Committee, to report thereon by amendment or otherwise; and,

And referred to a Select Committee.

Ordered, that the Honorable Mr. Crookshank, the Honorable and Venerable the Archdeacon of York, and the Honorable Messieurs Morris and Macaulay, do compose the same for that purpose.

Members composing same.

Ordered, that the said bill be printed for the use of Members.

The Bill ordered to be printed.

Pursuant to the order of the day, the bill entitled, “An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Bank of the Newcastle District,” was read a second time; and it was,

Newcastle District Bank bill, read second time.

Ordered, that the House be put into a Committee of the whole on Tuesday next, to take the same into consideration.

Pursuant to the order of the day, the bill entitled, “An Act to establish a Police in the Town of Cobourg, and to define the limits of the said Town,” was read a second time; and it was,

Cobourg Police bill, read second time.

Ordered, that the same be referred to a Select Committee, with power to send for persons and papers, and to report thereon by amendment or otherwise; and,

And referred to a Select Committee.



Friday, 6th January, 1837.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

Members composing same.

Ordered, that the Honorable Messieurs Morris and Macaulay, do compose the same for that purpose.

Chatham and Camden Boundary Line bill, read second time.

Pursuant to the order of the day, the bill to establish the Boundary Lines in front of Lots on the River Thames, in the townships of Chatham and Camden, in the Western District, was read a second time: and it was,

Ordered, that the House be put into a Committee of the whole on Monday next, to take the same into consideration.

Petition of Jacob Smith, Junior, and others, brought up.

The Honorable Mr. Macaulay brought up the petition of Jacob Smith, Junior, and others, Freeholders and inhabitants of the fourth concession of the township of Fredericksburgh, original; which was laid on the table.

Petitions of John Poore, and others; The Members of the Scotch Church, at Amherstburgh; West Gwillimbury;

The Honorable Mr. Morris brought up the petition of John Poore, and others, inhabitants of Guelph, and the surrounding townships, in the County of Halton, and District of Gore; also the petition of the Minister, Elders and Congregation, of the Presbyterian Church at Amherstburgh, in connection with the Church of Scotland; also the petition of the Presbyterian Congregation of the township of West Gwillimbury, in connection with the Church of Scotland; and also the petition of the Kirk Session, and heads of families, of St. John's Church, Cornwall, in connection with the Church of Scotland; which were laid on the table.

And Cornwall, brought up.

Messages from the Assembly, brought up.

A Deputation from the Commons House of Assembly brought up, and delivered at the Bar of this House, two messages in the following words, and then withdrew:

Transmitting a Resolution relative to the crowded state of the lobby and passages of the Legislative Council.

MR. SPEAKER,

The Commons House of Assembly communicate to the Honorable the Legislative Council, a copy of a Resolution passed by them this day.

(Signed) ARCHIBALD McLEAN,  
SPEAKER.

*Commons House of Assembly,*

22nd December, 1836.

(Copy.)

The Resolution.

*Resolved*—That a message be sent to the Honorable the Legislative Council, informing them, that the lobby of their House, and the passages, are usually so crowded, that it is very inconvenient for the Members of this House to go up when His Excellency the Lieutenant Governor requires their attendance, and to request that the passages may be kept clear upon all such occasions.

(Attest.)

(Signed) JAMES FITZGIBBON,  
CLERK OF ASSEMBLY.

Transmitting a Resolution on the subject of the future interchange of Messages between the two Houses.

MR. SPEAKER,

The Commons House of Assembly communicate to the Honorable the Legislative Council, a copy of a Resolution passed by them this day.

(Signed) ARCHIBALD McLEAN,  
SPEAKER.

*Commons House of Assembly,*

22nd December, 1836.

The Resolution.

*Resolved*—That the interchange of Messages between this House, and the Honorable the Legislative Council, be hereafter regulated by the practice in England.

(Attest.)

(Signed) JAMES FITZGIBBON,  
CLERK OF ASSEMBLY.

On motion made and seconded; it was,

The resolutions referred to a Select Committee.

Ordered, that the several Resolutions of the Commons House of Assembly, received by message this day, be referred to a Select Committee, with power to send for persons and papers, and to report thereon; and,

Members composing same.

Ordered, that the Honorable Messieurs Allan, Baldwin, Morris, and Macaulay, do compose the same for that purpose.

House adjourns.

On motion made and seconded, the House adjourned until Monday next, at the hour of one of the clock, P.M.

Monday, 9th January, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

MONDAY, 9th JANUARY, 1837.

The House met pursuant to adjournment.

House meets.

PRESENT :

*The Honorable* JOHN B. ROBINSON, SPEAKER.

*The Honorable Messrs.* ADAMSON,

*The Honorable Messrs.* MARKLAND,

" " JAMES KERBY,

" " ALLAN,

" " MORRIS.

" " BALDWIN,

Members present.

Prayers were read.

The Honorable Mr. Charles Jones came to the table, and took and subscribed the Oath prescribed by the Statute 31st Geo. 3rd, Chap. 31st, as required by the Third Rule of this House, at the beginning of a Parliament.

Hon. Charles Jones takes the Oath prescribed by Law.

The Minutes of Friday last were read.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to raise by Debenture a sum of money for the improvement of Windsor Harbour, in the township of Whitby, in the Home District, and for other purposes therein mentioned," together with the report of the Select Committee thereon.

Windsor Harbour loan bill, re-committed.

The Honorable Mr. Morris took the Chair.

A Message being announced, the Chairman left the Chair, and the House formed.

The Honorable Mr. Crookshank enters.

A Member enters.

A Message from His Excellency the Lieutenant Governor, was delivered by Mr. Secretary Joseph, who being retired, the Speaker read the same; and it was again read by the Clerk, as follows:

Message from His Excellency the Lieutenant Governor:

F. B. HEAD,

The Lieutenant Governor transmits, for the information of the Legislative Council, the Report, and accompanying Documents, received from the Arbitrator on the part of Upper Canada, relative to the proportion of the Duties levied in Lower Canada on Importations by Sea, to be paid to this Province for the four years commencing on the first of July last, as agreed upon by the Arbitrators for the two Provinces, in conformity with the provisions of the Statute of the Imperial Parliament, passed in the third year of the reign of His late Majesty George the Fourth, entitled, "An Act to regulate the Trade of the Provinces of Lower and Upper Canada, and for other purposes relating to the said Provinces."

Transmitting a Report and Documents from the Provincial Arbitrator, on the subject of duties levied in Lower Canada.

*Government House,*

9th January, 1837.

The House was then again put into a Committee of the whole, upon the bill, entitled, "An Act to raise by Debenture a sum of money for the improvement of Windsor Harbour, in the township of Whitby, in the Home District, and for other purposes therein mentioned," together with the report of the Select Committee thereon.

Windsor Harbour loan bill, re-committed.

The Honorable Mr. Morris took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and had made an amendment thereto, which they were ready to submit whenever the House would be pleased to receive the same.

Amendment reported.

Ordered, that the report be received to-morrow.

On motion made and seconded; it was,

Ordered, that an Address be presented to His Excellency the Lieutenant Governor, respectfully thanking him for his Message received this day, transmitting the Report and Documents from the Arbitrator appointed on the part of this Province, relative to the proportion of Duties levied in Lower Canada on Importations by Sea, to be paid to the Province of Upper Canada; and,

Address of thanks ordered to be presented to His Excellency, for his Message of to-day.

Ordered, that the Honorable Messieurs Adamson and James Kerby, do present the same.

Members appointed therefor.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill, entitled, "An Act to incorporate certain persons under the style of the Upper Canada Loan and Trust Company."

Upper Canada Loan and Trust Company's bill, committed.

The Honorable Mr. Adamson took the Chair.

After some time the House resumed.

Monday, 9th January, 1837.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

Reported, and leave  
asked to sit again.

The Chairman reported that the Committee had taken the said bill into consideration, had made some progress therein, and asked leave to sit again on Thursday next.

Leave granted.

Ordered, that the report be received, and leave granted accordingly.

Chatham and Camden  
Boundary Line bill,  
committed.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill to establish the Boundary Lines in front of Lots on the River Thames, in the townships of Chatham and Camden, in the Western District.

The Honorable Mr. Jones took the Chair.

After some time the House resumed.

Reported, and leave  
asked to sit again.

The Chairman reported that the Committee had taken the said bill into consideration, had made some progress therein, and asked leave to sit again to-morrow.

Leave granted.

Ordered, that the report be received, and leave granted accordingly.

Petitions of H. N.  
Perry, and others;

Pursuant to the order of the day, the petition of H. N. Perry, and others, praying for an Act granting a Charter for the improvement of the Twelve-mile Creek, from St. Catharines to Perry's mills; also the petition of the President of the Port Burwell Harbour Company, praying for the loan of £3,000, upon security of the tolls of the Harbour; also the petition of B. McMahon, and others, inhabitants of Presque Isle and its vicinity, in the District of Newcastle, praying for the erection of a Light-house on the Point of Presque Isle; also the petition of Walter C. Crofton, of Cobourg, praying for a grant out of the unappropriated School Lands, to be applied in building a new School-house, and in paying an Assistant, so long as the same may be required; also the petition of William Parker, and others, inhabitants of the Ottawa, Eastern and Johnstown Districts, praying for an Act authorising the improvement of the Navigation of the River Petite Nation; also the petition of Jacob Smith, Junior, and others, Freeholders and inhabitants of the fourth concession of the township of Fredericksburgh, original, praying for an Act establishing the Eastern Boundary Line of the said Township; also the petition of John Poore, and others, inhabitants of Guelph and the surrounding townships, in the County of Halton, and District of Gore, praying to be formed into a new District, with Guelph as the chief Town thereof; also the petition of the Minister, Elders and Congregation, of the Presbyterian Church at Amherstburgh, in connection with the Church of Scotland, praying against the institution of Rectories within this Province, and that the Clergy Reserves may not be appropriated to any other purpose than that of religion; and also the petitions of the Presbyterian Congregation of the township of West Gwillinbury, in connection with the Church of Scotland; and of the Kirk Session, and heads of families, of St. John's Church, Cornwall, in connection with the Church of Scotland, respectively praying against the institution of Rectories within this Province; were severally read.

The President of the  
Port Burwell Harbour  
Company;  
B. McMahon, and  
others;

Walter C. Crofton;

William Parker, and  
others;

Jacob Smith, Junior,  
and others;

John Poore, and  
others;

The Members of the  
Scotch Church, at  
Amherstburgh;

West Gwillinbury;

And Cornwall, read.

Petitions of the Hon.  
Charles Jones, and  
another; and,

William Mylne, and  
another, brought up.

The Honorable Mr. Morris brought up the petition of the Honorable Charles Jones, and another, of Brockville; which was laid on the table.

The Honorable Mr. Allan brought up the petition of William Mylne, and another, Commissioners appointed for erecting a Bridge across the Grand River, at Dunnville; which was laid on the table.

Reports of the Select  
Committee on the  
Resolutions of the  
Assembly relating to  
the lobby and passages  
of the Legislative  
Council, and the future  
interchange of Mes-  
sages between the two  
Houses, presented.  
Same read.

The Honorable Mr. Allan, from the Select Committee to whom was referred the several Resolutions of the Commons House of Assembly, relative to the crowded state of the lobby and passages of the Legislative Council, and on the subject of the future interchange of Messages between the two Houses, presented their several Reports.

Ordered, that they be received; and,

The same were then read by the Clerk, as follows:

The Select Committee to whom was referred a certain Resolution of the Commons House of Assembly, relative to the crowded state of the lobby and passages of the Legislative Council, beg leave to report:

The Reports.

That they have taken the subject matter thereof into their consideration, and recommend that the space below the Bar of your Honorable House be so arranged, as to afford every facility to the Members of the Commons House of Assembly, when they are required by His Excellency the Lieutenant Governor to attend him in the Legislative Council.

(Signed) W. ALLAN,

CHAIRMAN.

Legislative Council, Committee Room,

Ninth January, 1837.

Tuesday, 10th January, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

The Select Committee appointed to consider and report on the Resolution sent up from the House of Assembly, respecting the manner of receiving Messages by either House, beg leave to Report:

That they have given their best attention to the subject embraced in the Resolution, and after examining the Journals of the Commons of the Imperial Parliament, and consulting the opinions of Mr. Hatsell, have agreed to recommend that a Conference be asked with the House of Assembly on the subject.

(Signed) W. ALLAN,  
CHAIRMAN.

*Committee Room, Legislative Council,*  
Ninth January, 1837.

On motion made and seconded; it was,

Ordered, that the last mentioned report of the Select Committee, be adopted.

On motion made and seconded; it was,

Ordered, that a Conference be desired with the Commons House of Assembly, on the subject matter of their Resolution last above mentioned; and,

Ordered, that the Honorable Messieurs Allan and Jones, be appointed the Conferrees on the part of this House for that purpose; and,

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council request a Conference with the Commons House of Assembly, on the subject matter of their Resolution, transmitted to this House by Message on the sixth instant, relative to the future interchange of Messages between the two Houses: and have appointed the Honorable Messieurs Allan and Jones, to be the Conferrees on their part, who will be ready to meet a Committee on the part of the Commons House of Assembly, on Wednesday next, at eleven of the clock, A.M., in the Committee Room of the Legislative Council for that purpose.

On motion made and seconded; it was,

Ordered, that the report of the Select Committee upon the Resolution of the Assembly, relative to the crowded state of the lobby and passages of the Legislative Council, be referred to a Committee of the whole House to-morrow.

On motion made and seconded, the House adjourned.

TUESDAY, 10th JANUARY, 1837.

The House met pursuant to adjournment.

PRESENT:

*The Honorable* JOHN B. ROBINSON, SPEAKER.

*The Honorable Messrs.* ALLAN,

“ “ JONES,

“ “ BALDWIN,

*The Honorable Messrs.* ADAMSON,

“ “ JAMES KERBY,

“ “ MORRIS.

Prayers were read.

The Minutes of yesterday were read.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill, entitled, “An Act to establish a Bank at Brockville, in the District of Johnstown,” and also the report of the Select Committee thereon.

The Honorable Mr. Allan took the Chair.

A Message being announced, the Chairman left the Chair, and the House formed.

Deputations from the Commons House of Assembly brought up several bills, to which they requested the concurrence of this House.—And they returned the bill sent down from this House, and acquainted the Legislative Council, that the Commons House of Assembly had passed the same without any amendment: and they also returned one other bill sent down from this House, and acquainted the Legislative Council, that the Commons House of Assembly had made some amendments in and to the same, to which they requested the concurrence of this House, and then withdrew.

The Honorable Messieurs Crookshank and Macaulay, enter.

The House was then again put into a Committee of the whole, upon the bill entitled, “An Act to establish a Bank at Brockville, in the District of Johnstown,” and also the report of the Select Committee thereon.

Last mentioned Report adopted.

A Conference ordered on the subject matter of the last mentioned Resolution of the Assembly.

Conferrees appointed;

And the Assembly acquainted of same.

House adjourns.

House meets.

Members present.

Brockville Bank bill, re-committed.

Bills brought up, and returned from the Assembly.

Members enter.

Brockville Bank bill, re-committed.

Tuesday, 10th January, 1837.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

The Honorable Mr. Allan took the Chair.

After some time the House resumed.

Amendment reported.

The Chairman reported that the Committee had gone through the said bill, and had made an amendment thereto, which they were ready to submit whenever the House would be pleased to receive the same.

Ordered, that the report be received to-morrow.

Speaker reports the receipt of Joint Stock Banking Companies facility bill; and, Erie and Ontario Bank bill, from the Assembly.

The Honorable the Speaker reported to the House, that Deputations from the Commons House of Assembly had brought up a bill, entitled, "An Act to afford protection to the public, as well as to facilitate the business of Joint Stock Banking Companies;" and also a bill, entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Erie and Ontario Bank of the Niagara District," to which they requested the concurrence of this House; and that they had returned the bill sent down from this House, entitled, "An Act to supply by a general law certain forms of enactment in common use, which may render it unnecessary to repeat the same in Acts to be hereafter passed," and acquainted the Legislative Council, that the Commons House of Assembly had passed the same without any amendment: and also that they had returned the bill sent down from this House, entitled, "An Act to abolish the distinction between Grand and Petit Larceny, and to enable the Courts of General Quarter Sessions of the Peace to try all cases of Simple Larceny, under certain restrictions, and to amend the law respecting the punishment of Larceny," and acquainted the Legislative Council, that the Commons House of Assembly had made an amendment in and to the same, and to which they requested the concurrence of this House.

Likewise the return of Standing forms bill, passed by that House.

And the return of Quarter Sessions jurisdiction extension bill, amended by that House.

The bill entitled, "An Act to afford protection to the public, as well as to facilitate the business of Joint Stock Banking Companies," was read; and it was,

Ordered, that the same be read a second time on Thursday next.

Joint Stock Banking Companies facility bill, read first time.

Erie and Ontario Bank bill, read first time.

The bill entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Erie and Ontario Bank of the Niagara District," was read; and it was,

And referred to a Select Committee.

Ordered, that the same be referred to a Select Committee, to report thereon by amendment or otherwise: and,

Members composing same.

Ordered, that the Honorable Messieurs Adamson and James Kerby, do compose the same for that purpose.

Amendment of the Assembly to Quarter Sessions jurisdiction extension bill, read first time.

The amendment of the Commons House of Assembly made in and to the bill sent down from this House, entitled, "An Act to abolish the distinction between Grand and Petit Larceny, and to enable the Courts of General Quarter Sessions of the Peace to try all cases of Simple Larceny, under certain restrictions, and to amend the law respecting the punishment of Larceny," was then read by the Clerk, as follows:

Amendment made by the Commons House of Assembly in and to the bill sent down from the Honorable the Legislative Council, entitled, "An Act to abolish the distinction between Grand and Petit Larceny, and to enable the Courts of General Quarter Sessions of the Peace to try all cases of Simple Larceny, under certain restrictions, and to amend the law respecting the punishment of Larceny."

The amendment.

Press 2, Line 7—After the word "but," expunge the words "that when the value of the goods charged to have been stolen shall, in any case, exceed in value twenty pounds."

Ordered, that the same be read a second time to-morrow.

Ottawa River Survey bill, re-committed.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill, entitled, "An Act to provide for a Survey of the Ottawa River, and the Country bordering on it, together with the Country and waters lying between that River and Lake Huron."

The Honorable Mr. Morris took the Chair.

After some time the House resumed.

Reported.

The Chairman reported, that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Adopted.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time to-morrow.

Newcastle District Bank bill, committed.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill, entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Bank of the Newcastle District."

Tuesday, 10th January, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

The Honorable Mr. Macaulay took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said bill, and had made an amendment thereto, which they were ready to submit, whenever the House would be pleased to receive the same.

Amendment reported.

Ordered, that the report be received to-morrow.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill to establish the Boundary Lines in front of Lots on the River Thames, in the townships of Chatham and Camden, in the Western District.

Chatham and Camden Boundary Line bill, re-committed

The Honorable Mr. Jones took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had taken the said bill into consideration, had made some progress therein, and asked leave to sit again to-morrow.

Reported, and leave asked to sit again.

Ordered, that the report be received, and leave granted accordingly.

Leave granted.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the report of the Select Committee, to whom was referred the consideration of a certain Resolution of the House of Assembly, relating to the state of the lobby and passages of the Legislative Council.

Report of the Select Committee upon the Resolution of the Assembly relating to the state of the lobby and passages of the Legislative Council, committed.

The Honorable Mr. Crookshank took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had considered the report of the Select Committee, and had agreed to a Resolution, which they recommended to the adoption of the House.

A Resolution reported.

Ordered, that the report be received; and,

The said Resolution was then read by the Clerk, as follows:—

Read first time.

*Resolved*—That it is the opinion of this Committee, that the Speaker do give order for the employment of a sufficient number of Constables, to attend upon every occasion when His Excellency the Lieutenant Governor is to meet the two Houses of the Legislature, to preserve order, and to secure free and convenient access to the Legislative Council Chamber for the Members of the House of Assembly; and that a reasonable allowance be made to such Constables, to be charged in the contingencies of the Session.

The Resolution for authorising the appointment of a sufficient number of Constables.

The said resolution being read a second time, and the question of concurrence put thereon, it was agreed to by the House; and it was,

Read second time, and adopted.

Ordered accordingly.

On motion made and seconded; it was,

Ordered, that a Message be sent to the House of Assembly, to inform them that this House regrets much to learn that the Members of the House of Assembly have experienced inconvenience, from the crowded state of the lobby and passages, when their attendance has been required in the Legislative Council Chamber; that upon any intimation of a similar difficulty, however informal, the Legislative Council will most readily take every measure in their power to prevent a recurrence of it; and, that in consequence of this representation of the Assembly, they have now adopted a Resolution, of which a copy shall be transmitted with the Message, which, they trust, will be so carried into effect as to prevent in future the inconvenience complained of.

Message ordered to be sent to the Assembly on the subject of their Resolution, relating to the state of the lobby and passages of the Legislative Council.

Pursuant to the order of the day, the Honorable Mr. Morris, from the Committee of the whole, upon the bill, entitled, "An Act to raise by Debenture a sum of money for the improvement of Windsor Harbour, in the township of Whitby, in the Home District, and for other purposes therein mentioned," presented the amendment made thereto; and,

Amendment to Windsor Harbour loan bill, presented.

The same was then read by the Clerk, as follows:

Read first time.

Add to the bill—"And be it further enacted by the authority aforesaid, That it shall not be lawful for the Commissioners aforesaid, to commence any part of the improvements of the said Harbour until a survey, with estimates in detail of the cost of the work, shall have been made by a competent Engineer under their authority, and unless, upon examination of such survey and estimates, by the Governor, Lieutenant Governor, or Person Administering the Government of this Province, and the Executive Council thereof, it shall satisfactorily appear to them that the work can be completed in a permanent and sufficient manner, for a sum not considerably exceeding nine thousand pounds."

The amendment.

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Read second time,  
and adopted.

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House; and it was,

Ordered, that it be engrossed, and the said bill, as amended, read a third time to-morrow.

Petitions of Hugh  
Richardson, and  
others;  
United Synod of the  
Presbyterian Church  
of Upper Canada;  
Chester Gurney;  
Orson Kellogg;  
John G. Leavitt, and  
others;

The Honorable Mr. Jones brought up the petition of Hugh Richardson, and others; also the petition of the United Synod, of the Presbyterian Church, of Upper Canada; also the petition of Chester Gurney, of Furnace Falls; also the petition of Orson Kellogg, of Furnace Falls; and also the petition of John G. Leavitt, and others, inhabitants of the District of Johnstown: which were laid on the table.

The Members of the  
Scotch Church, at  
Peterborough;

The Honorable Mr. Morris brought up the petition of the Elders, Trustees and others, of the Presbyterian Congregation in connection with the Church of Scotland, in Peterborough; also the petition of John B. Warren, and others, belonging to a religious society, called "Christians"; also the petition of James Divan, and others, inhabitants of certain townships in the Districts of Bathurst and Ottawa; and also the petition of John Macklen, and others, belonging to a religious society call "Christians": which were laid on the table.

John B. Warren,  
and others;

James Divan, and  
others;

John Macklen, and  
others; and,

Duncan McFarlane,  
and others, brought up.

The Honorable Mr. James Kerby brought up the petition of Duncan McFarlane, and others, freeholders and inhabitants of the District of Niagara; which was laid on the table.

House adjourns.

On motion made and seconded, the House adjourned.

WEDNESDAY, 11th JANUARY, 1837.

House meets.

The House met pursuant to adjournment.

PRESENT:

Members present.

*The Honorable* JOHN B. ROBINSON, SPEAKER.  
*The Honorable* Mr. CROOKSHANK.  
*The Hon. & Ven. The* ARCHDEACON OF YORK.  
*The Honorable* Mr. ALLAN,

*The Honorable Messrs.* ADAMSON,  
" " JAMES KERBY,  
" " MORRIS.

Prayers were read.

The Minutes of yesterday were read.

Ottawa River Survey  
bill, read third time  
and passed.

Pursuant to the order of the day, the bill entitled, "An Act to provide for a Survey of the Ottawa River, and the Country bordering on it, together with the Country and waters lying between that River and Lake Huron." was read a third time and passed:

Same signed:

Whereupon the Speaker signed the bill: and it was,

And the Assembly  
acquainted thereof.

Ordered, that the Master in Chancery do go down to the Assembly and acquaint that House, that the Legislative Council has passed this bill, without any amendment.

Windsor Harbour loan  
bill, as amended,  
read third time, and  
passed.

Pursuant to the order of the day, the bill entitled, "An Act to raise by Debenture a sum of money for the improvement of Windsor Harbour, in the township of Whitby, in the Home District, and for other purposes therein mentioned," was, as amended, read a third time; and,

The question being put, whether this bill as amended should pass, it was carried in the affirmative:

Amendment signed;

Whereupon the Speaker signed the amendment; and it was,

And sent to the Assem-  
bly for concurrence.

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council have passed this bill with an amendment, to which they desire the concurrence of the Commons House of Assembly.

Prescott Bank bill;

A Deputation from the Commons House of Assembly brought up a bill, entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Prescott Bank"; and also a bill, entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Prince Edward District Bank," to which they requested the concurrence of this House, and then withdrew.

Read first time.

The said bills were then severally read; and it was,

Ordered, that they be read a second time to-morrow.

A Member enters.

The Honorable Mr. Baldwin enters.

Amendment to  
Brockville Bank bill,  
presented.

Pursuant to the order of the day, the Honorable Mr. Allan, from the Committee of the whole, upon the bill entitled, "An Act to establish a Bank at Brockville, in the District of Johnstown," presented the amendment made thereto; and,

Read first time.

The same was then read by the Clerk, as follows:—

The amendment.

Press 8. line 11—After the words "above ten" insert "Stockholders actually resident within the Province of Upper Canada, and none others may vote at elections by proxy."

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SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House; and it was,

Ordered, that the said bill be further amended as follows:

Press 12, line 8—After “one” expunge the remainder of the clause, and insert “and for the purpose of facilitating the transaction of the business of the said Bank: be it further enacted by the authority aforesaid, That it shall and may be lawful for the Directors of the said Bank, from time to time, to elect from among their number a Vice President, who in the absence of the President of the said Bank, shall preside at the meetings of the said Directors, and who shall have full power and authority at all times to sign the bills issued by the said Bank, and to do and perform such other matters and things as may be lawfully required to be done by the President of the said Bank.”

Ordered, that the amendments be engrossed, and the said bill, as amended, read a third time to-morrow.

Pursuant to the order of the day, the Report from the Committee of the whole, upon the bill, entitled, “An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Bank of the Newcastle District,” (of the amendments made thereto,) was received.

The same were then read by the Clerk, as follows:

Press 7, line 9—After the words “above ten,” insert “Stockholders actually resident within the Province of Upper Canada, and none others, may vote at elections by proxy.”

“ 11, “ 11—After “President,” insert “or in his absence the Vice President.”

“ 11, “ 12—After “absence,” insert “of both the President and Vice President.”

The said amendments being read a second time, and the question of concurrence put on each, they were severally agreed to by the House; and it was,

Ordered, that they be engrossed, and the said bill, as amended, read a third time to-morrow.

A Deputation from the Commons House of Assembly brought up, and delivered at the Bar of this House, a Message in the following words, and then withdrew:

MR. SPEAKER,

The Commons House of Assembly accede to the request of the Honorable the Legislative Council, for a Conference on the subject matter of their Resolution, transmitted by Message to Your Honorable House on the sixth instant, relative to the future interchange of Messages between the two Houses, and have appointed a Committee of four of their Members, who will be ready to meet the Conferrees appointed on the part of the Honorable the Legislative Council, at the time and place appointed.

(Signed) ARCHIBALD McLEAN,  
SPEAKER.

*Commons House of Assembly,*  
10th day of January, 1837.

On motion made and seconded; it was,

Ordered, that the Conferrees be instructed as follows:

That in requesting a Conference with the House of Assembly, upon the subject of a Resolution sent up on Friday last, declaring, “that the interchange of Messages between the House of Assembly and the Legislative Council, shall be hereafter regulated by the practice in England,” the Legislative Council are influenced by an earnest desire to avoid any misunderstanding that may embarrass the intercourse between the two branches of the Legislature.

Any Resolution which professes to regulate the interchange of Messages between the two Houses, seems to extend necessarily to the manner of sending and receiving Messages by each House. So far as the Legislative Council is concerned, they conceive themselves to be bound by the uniform practice pursued by their predecessors and themselves, and recorded upon the Journals of their House, through the whole course of their proceedings; and they would not consider themselves at liberty, in the absence of any suggestion of inconvenience from the House of Assembly, to depart from this practice at their pleasure, for the purpose of adopting the usage of any other Legislative body.

Read second time, and adopted.

Further amendment ordered.

The further amendment.

Amendments to Newcastle District Bank bill, presented.

Read first time.

The amendments.

Read second time, and adopted.

Message from the Assembly.

Acceding to a Conference on the subject of their Resolution, relative to the future interchange of Messages between the two Houses.

Instructions to the Conferrees on the part of the Legislative Council.



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With respect to the reception by the House of Assembly of Messages from the Legislative Council, it is hoped that the Assembly could not have intended, by the sudden adoption of a Resolution of their own, without any Conference or concert with the Legislative Council, to change the manner of receiving Messages which has been practised invariably for more than forty years, and which must in the first instance have been adopted by the House of Assembly.

As it is not intimated in the Resolution in what respects the practice in England and in this Legislature are understood to vary, the Legislative Council are left in doubt as to the changes which the House of Assembly may desire to introduce. They have referred to the Journals of the British Parliament as the most authentic sources, and perhaps the only source of information which it would be proper to resort to upon a question of this kind. They have looked also into Mr. Hatsell's compilation, and they find in the latter two points of difference distinctly stated, namely, that no Message is received in the Lords from the Commons, unless it be attended by eight Members; and that the Messages from the Lords are usually sent by two Masters in Chancery.

In respect to the first of these points of difference, the Legislative Council desires no change, because the practice which has always prevailed here is doubtless more convenient to the House of Assembly, and has, from constant usage, become established.

As to the second point of difference, the Legislative Council, having but one Master in Chancery, cannot imitate the English practice in that respect; and they have no other reason to suppose it is desired than that the Resolution is general in its terms, and expresses no exceptions.

The Legislative Council gather from Mr. Hatsell's book, though it is not distinctly stated, that there is another difference to which it may probably be meant that this Resolution should extend. After citing from the Journals of the House of Commons several instances in which Messages from the Lords had been received and announced during a debate, Mr. Hatsell expresses strongly his approbation of these precedents, and wishes they were generally followed; from whence it may be inferred, that in England a Message does not always meet with that ready and courteous admission which the well-established practice in this Legislature has constantly secured to Messages proceeding from either House to the other.

The Legislative Council are reluctant to suppose that the House of Assembly regards a change in this respect as desirable, because, independently of considerations of mutual courtesy, it is evident that the manner of receiving messages in both Houses, which has prevailed uniformly since the Legislature was established, has been found most conducive to public convenience in the forwarding of bills and other matters through their several stages. It is true, that it may sometimes occasion an interruption for a few minutes to a member who at the time may be speaking, but this slight annoyance to an individual, the Legislative Council, in their instance, have been always content to submit to, from respect to the House of Assembly, and from a regard to the public convenience, which is unquestionably best consulted by allowing the message to be immediately announced in order that its purport may be known, so that measures may be promptly taken upon it, if the occasion should require.

The Legislative Council apprehends that the manner of receiving messages, which has always been in use in the House of Assembly here, is invariably pursued in Lower Canada, and in the other British Provinces, and a change, in the particular to which they have last alluded would be attended with these inconveniences:

When conferences are required, it is usual for the Legislative Council to appoint the time in the message which conveys the request, and sometimes near the close of the Session, the exigency of the public business makes it necessary that the request should be made for a conference "presently." If the message should not be received and announced in the Assembly, as similar messages are always received and announced in the Legislative Council, the time appointed for the conference might, very probably, pass and much inconvenience would be occasioned.

So also, when the attendance of any member of the Assembly is requested to give information to a Committee of the Legislative Council, when amendments are necessarily made to bills which require to be immediately considered and acted upon, or when inadvertent omissions are discovered in bills, which from their nature, the Legislative Council cannot supply; in these cases, occurring at the conclusion of a Session, when a vast accumulation of business has

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SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

to be disposed of in a very few days, and sometimes in a few hours, if delay and uncertainty should take place in the intercourse between the two Houses, some valuable bills might be lost, and unquestionably much public inconvenience would follow.

The Legislative Council need hardly observe, that when in either House a message from His Excellency the Lieutenant Governor is announced, it is instantly received; and that when a message from the House of Assembly is announced in the Legislative Council, it is in the same manner instantly received: the business in which the House may at the time be engaged being suspended for the moment, merely that the subject of the message may be made known.

The House of Assembly having also adopted from the first the same course of proceeding, a perfect equality is preserved among the several branches, which, being right and just in principle, has prevailed uniformly in practice, and must tend to public convenience in all respects, except in the momentary interruption it may happen to occasion to a member engaged in speaking, which interruption is felt by the members of both Houses equally.

The usage which has been maintained within this Colony by twelve successive Parliaments, is entitled to so much respect from the several branches of the Legislature, that the Legislative Council trusts it will not be proposed to depart from it in order to conform to any supposed practice of the British House of Commons, especially since the positive information upon this point which the Journals of the House of Commons afford, is contained in the record of those instances in which the Speaker received and announced messages while a debate was pending, thereby precisely conforming to the usage which has always prevailed here; and to these instances the learned and experienced officer of the House of Commons, whose treatise is usually referred to for information respecting the proceedings of Parliament, refers with marked approbation, remarking that "it would be for the mutual convenience of both Houses if this proceeding were adopted generally, and the messengers from either House were admitted at all times." "It is," Mr. Hatsell observes, "a civility due to each other, and would be no interruption to public business."

If the Legislative Council seem to dwell with some minuteness upon this question of introducing changes in the long-established mode of intercourse between the two Houses, they trust that the House of Assembly will not fail to attribute this to an earnest desire to preserve that constant facility of intercourse, and that good understanding between the two Houses, which is so advantageous to the public interests.

Pursuant to the order of the day, the amendment made by the Commons House of Assembly in and to the bill sent down from this House, entitled, "An Act to abolish the distinction between Grand and Petit Larceny, and to enable the Courts of General Quarter Sessions of the Peace to try all cases of Simple Larceny, under certain restrictions, and to amend the law respecting the punishment of Larceny," was read a second time; and it was,

Ordered, that the House be put into a Committee of the whole, to-morrow, to take the same into consideration.

The Honorable Mr. Crookshank, from the Select Committee to whom was referred the bill entitled, "An Act granting a charter to an incorporated company, under the style and title of the President and Directors of the London and Devonport Rail-road and Harbour Company," presented their Report.

Ordered, that it be received; and,

The same was then read by the Clerk, as follows:

The Select Committee to whom was referred the bill sent up from the Commons House of Assembly, entitled, "An Act granting a charter to an incorporated company, under the style and title of the London and Devonport Rail-road and Harbour Company," beg leave to report,

That they have examined the several provisions contained in the said bill, and find no objection to any of them,—they therefore respectfully recommend the bill to the adoption of your Honorable House.

(Signed) GEO. CROOKSHANK,

CHAIRMAN.

*Legislative Council, Committee Room,*

Eleventh January, 1837.

On motion made and seconded; it was,

R

Amendment of Assembly to Quarter Sessions jurisdiction extension bill, read second time.

Report of the Select Committee upon London & Devonport Rail-road bill, presented.

Read.

The Report.

Thursday, 12th January, 1837.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

Ordered, that the last-mentioned bill, and the report of the Select Committee thereon, be referred to a Committee of the whole House, to-morrow.

Chatham and Camden  
Boundary Line bill,  
re-committed.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill to establish the Boundary Lines in front of Lots on the River Thames, in the townships of Chatham and Camden, in the Western District.

The Honorable Mr. Baldwin took the Chair.

After some time the House resumed.

Amendment reported.

The Chairman reported that the Committee had gone through the said bill, and had made an amendment thereto, and recommended the bill to the adoption of the House.

Adopted.

Ordered, that the report be received; and,

Ordered, that the said bill be engrossed, and the same read a third time to-morrow.

Petitions of the Hon.  
Charles Jones, and  
another; and,  
William Mylne, and  
another, read.

Pursuant to the order of the day, the petition of the Honorable Charles Jones, and another, of Brockville, praying for an Act of incorporation for the manufacturing of Iron and Copper, with a capital stock of £50,000; and also the petition of William Mylne, and another, Commissioners appointed for erecting a Bridge across the Grand River, at Dunnville, praying for a further grant of £250, to be expended in the completion of the said Bridge; were severally read.

Report of the Confer-  
rees on the part of this  
House, on the subject  
of the Resolution of  
the Assembly, relative  
to the future inter-  
change of Messages  
between the two  
Houses.

The Honorable Mr. Allan, from the Committee of Conference on the subject matter of a certain Resolution of the Commons House of Assembly, respecting the future interchange of Messages between the two Houses, reported:

That the Honorable Mr. Jones and himself, had met the Conferrees on the part of the Assembly, at the time and place appointed, and delivered to them the instructions of this House.

Petition of James  
Cotter, and others,  
brought up.

The Honorable Mr. Jones brought up the petition of James Cotter, and others, inhabitants of the District of Prince Edward; which was laid on the table.

House adjourns.

On motion made and seconded, the House adjourned.

THURSDAY, 12th JANUARY, 1837.

House meets.

The House met pursuant to adjournment.

PRESENT:

Members present.

*The Honorable* JOHN B. ROBINSON, SPEAKER.

*The Honorable* Mr. CROOKSHANK,

*The Hon. & Ven. The* ARCHDEACON OF YORK,

*The Honorable* Mr. MARKLAND.

*The Honorable Messrs.* ADAMSON,

" " JAMES KERBY,

" " MORRIS.

Prayers were read.

The Minutes of yesterday were read.

Brockville Bank bill,  
as amended, read  
third time and passed.

Pursuant to the order of the day, the bill, entitled, "An Act to establish a Bank at Brockville, in the District of Johnstown," was, as amended, read a third time; and,

The question being put, whether this bill, as amended, should pass, it was carried in the affirmative:

Amendments signed;

Whereupon the Speaker signed the amendments; and it was,

And sent to the Assem-  
bly for concurrence.

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill, with certain amendments, to which they desire the concurrence of the Commons House of Assembly.

Newcastle District  
Bank bill, as amended,  
read third time, and  
passed.

Pursuant to the order of the day, the bill, entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Bank of the Newcastle District," was, as amended, read a third time; and,

The question being put, whether this bill, as amended, should pass, it was carried in the affirmative:

Amendments signed;

Whereupon the Speaker signed the amendments; and it was,

And sent to the Assem-  
bly for concurrence.

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill, with certain amendments, to which they desire the concurrence of the Commons House of Assembly.

Chatham and Camden  
Boundary Line bill,  
read third time and  
passed.

Pursuant to the order of the day, the bill to establish the Boundary Lines in front of Lots on the River Thames, in the townships of Chatham and Camden, in the Western District, was read a third time and passed; and it was,

Thursday, 12th January, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

Ordered, that the title be, "An Act to establish the Boundary Lines in front of Lots on the River Thames, in the townships of Chatham and Camden, in the Western District:"	Title ordered.
Whereupon the Speaker signed the bill; and it was,	Bill signed;
Ordered, that the same be sent to the Commons House of Assembly, by the Master in Chancery, for the concurrence of that House.	And sent to the Assembly for concurrence.
The Honorable Mr. Jones enters.	A Member enters.
Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill, entitled, "An Act to incorporate certain persons under the style of the Upper Canada Loan and Trust Company."	Upper Canada Loan and Trust Company's bill, re-committed.
The Honorable Mr. James Kerby took the Chair.	
After some time the House resumed.	
The Honorable Messieurs Allan, Elmsley, Baldwin and Macaulay, enter.	Members enter.
The Chairman reported that the Committee had taken the said bill into consideration, had made some further progress therein, and asked leave to sit again on Monday next.	Reported, and leave asked to sit again.
Ordered, that the report be received, and leave granted accordingly.	Leave granted.
Pursuant to the order of the day, the House was put into a Committee of the whole, upon the amendment of the Commons House of Assembly, made in and to the bill sent down from this House, entitled, "An Act to abolish the distinction between Grand and Petit Larceny, and to enable the Courts of General Quarter Sessions of the Peace to try all cases of Simple Larceny, under certain restrictions, and to amend the law respecting the punishment of Larceny.	Amendment of the Assembly to Quarter Sessions jurisdiction extension bill, committed.
The Honorable Mr. Baldwin took the Chair.	
After some time the House resumed.	
The Chairman reported that the Committee had gone through the said amendment, and recommended the same to the adoption of the House.	Reported.
Ordered, that the report be received; and,	
Ordered, that the said amendment be read a third time to-morrow.	Adopted.
Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill, entitled, "An Act granting a charter to an incorporated company, under the style and title of the President and Directors of the London and Devonport Rail-road and Harbour Company," and the report of the Select Committee thereon.	London & Devonport Rail-road bill, committed.
The Honorable Mr. Elmsley took the Chair.	
After some time the House resumed.	
The Chairman reported that the Committee had taken the said bill, and the report thereon, into consideration, had made some progress therein, and asked leave to sit again to-morrow.	Reported, and leave asked to sit again.
Ordered, that the report be received, and leave granted accordingly.	Leave granted.
Pursuant to the order of the day, the bill, entitled, "An Act to afford protection to the public as well as to facilitate the business of Joint Stock Banking Companies; also the bill, entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Prescott Bank"; and also the bill, entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Prince Edward District Bank," were severally read a second time; and it was,	Joint Stock Banking Companies facility bill; Prescott Bank bill; And Prince Edward District Bank bill, read second time.
Ordered, that the House be put into Committees of the whole, to-morrow, to take the same into consideration.	
Pursuant to the order of the day, the petition of Hugh Richardson, and others, praying for a grant of money to be expended in the improvement of the Harbour of Toronto; also the petition of the United Synod, of the Presbyterian Church, of Upper Canada, praying to be allowed to share in the Clergy Reserves, or the proceeds of the sale thereof; also the petitions of Chester Gurney, of Furnace Falls; of Orson Kellogg, of the same place; and of John G. Leavitt, and others, inhabitants of the District of Johnstown—respectively praying for Acts conferring upon them the rights and privileges of British Subjects; also the petition of the Elders, Trustees, and others, of the Presbyterian Congregation, in connection with the Church of Scotland, in Peterborough, praying against the institution of Rectories within this Province; also the petitions of John B. Warren, and others, and of John Macklen, and others, belonging to a religious society, called "Christians"—respectively praying for an Act allowing them to administer the Banns of Matrimony in their Congregations; also the petition of James Divan, and others, inhabitants of certain townships in the Districts of Bathurst and Ottawa, praying for an Act forming them into a new District, having Bytown for its capital; also the petition of Duncan McFarlane, Junior, and others, freeholders and inhabitants of the	Petitions of Hugh Richardson, and others; United Synod of the Presbyterian Church of Upper Canada; Chester Gurney; Orson Kellogg; John G. Leavitt, and others; The Members of the Scotch Church, at Peterborough; John B. Warren, and others; John Macklen, and others; James Divan, and others; Duncan McFarlane, Junior, and others;

Friday, 13th January, 1837.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

And the Magistrates  
of the Home District,  
read.

District of Niagara, praying for an Act authorising the removal of the District Town to a more central situation; and also the petition of the Magistrates of the Home District, praying for an Act authorising the building of a new Gaol within the City of Toronto, or the liberties thereof; were severally read.

Report of the Select  
Committee upon the  
Erie and Ontario  
Bank bill, presented.

The Honorable Mr. Adamson, from the Select Committee to whom was referred the bill, entitled, "An Act to incorporate sundry persons, under the style and title of the President, Directors and Company, of the Erie and Ontario Bank, of the Niagara District," presented their Report.

Ordered, that it be received; and,

Read.

The same was then read by the Clerk, as follows:

The Select Committee, to whom was referred the bill sent up from the Commons House of Assembly, entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Erie and Ontario Bank, of the Niagara District," beg leave to report:

The Report.

That Your Committee have compared the bill before them, with one amended by Your Honorable House, entitled, "An Act to establish a Bank at Brockville, in the District of Johnstown," and find that they agree together, with the exception of the twenty-second clause, which, although worded differently, may yet bear the same construction—and the twenty-sixth and twenty-eighth clauses of the Brockville Bank bill are entirely omitted in the bill now reported upon by Your Committee.

All which is respectfully submitted.

(Signed) P. ADAMSON,  
CHAIRMAN.

*Legislative Council, Committee Room,*

Twelfth January, 1837.

On motion made and seconded: it was,

Ordered, that the last-mentioned bill, and the report of the Select Committee thereon, be referred to a Committee of the whole House, to-morrow.

Petitions of Mahlon  
Burwell, and another;

The Honorable Mr. James Kerby brought up the petition of Mahlon Burwell, and another, Executors of the Will of the late Roswell Mount, deceased; which was laid on the table.

A. Murphy, and  
others; and,  
Daniel Secord, and  
others, brought up.

The Honorable Mr. Morris brought up the petition of A. Murphy, and others, inhabitants of the eastern townships of the District of London; and also the petition of Daniel Secord, and others, inhabitants of certain townships, in the District of Gore; which were laid on the table.

House adjourns.

On motion made and seconded, the House adjourned.

FRIDAY, 13th JANUARY, 1837.

House meets.

The House met pursuant to adjournment.

PRESENT:

Members present.

*The Honorable* JOHN B. ROBINSON, SPEAKER.  
*The Honorable Messrs.* ALLAN,  
" " JONES,  
" " McDONELL,  
" " ELMSLEY,

*The Honorable Messrs.* BALDWIN,  
" " ADAMSON,  
" " JAMES KERBY,  
" " MACAULAY.

Prayers were read.

The Minutes of yesterday were read.

Protests of the Hon.  
the Speaker, against  
the passing of  
Brockville Bank bill;

To the bill passed yesterday, as amended, entitled, "An Act to establish a Bank at Brockville, in the District of Johnstown,"

DISSENTIENT,

Because, I am of opinion that the advantage of an enlarged circulating medium might be provided in a manner that would afford greater security to the people of this Province, in their commercial transactions, and ensure them greater accomodation, while the Public Revenues might be largely increased.

(Signed) JOHN B. ROBINSON.

Friday, 13th January, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

DISSENTIENT,

To the bill passed yesterday, as amended, entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Bank of the Newcastle District."

And Newcastle District Bank bill.

(Signed) JOHN B. ROBINSON.

Pursuant to the order of the day, the amendment of the Commons House of Assembly, made in and to the bill sent down from this House, entitled, "An Act to abolish the distinction between Grand and Petit Larceny, and to enable the Courts of General Quarter Sessions of the Peace, to try all cases of Simple Larceny, under certain restrictions, and to amend the law respecting the punishment of Larceny," was read a third time and passed:

Amendment of the Assembly to Quarter Sessions jurisdiction extension bill, read third time and passed.

Whereupon the Speaker signed the amendment; and it was,

Amendment signed;

Ordered, that the Master in Chancery do go down to the Assembly and acquaint that House, that the Legislative Council have acceded to the amendment, made by the Commons House of Assembly, in and to the said bill.

And the Assembly acquainted of same.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill, entitled, "An Act granting a Charter to an Incorporated Company, under the style and title of the President and Directors of the London and Devonport Rail-road and Harbour Company," and the Report of the Select Committee thereon.

London & Devonport Rail-road bill, re-committed.

The Honorable Mr. Elmsley took the Chair.

A Message being announced, the Chairman left the Chair, and the House formed.

A Deputation from the Commons House of Assembly brought up a bill, to which they requested the concurrence of this House, and then withdrew.

A bill brought up from the Assembly.

The House was then again put into a Committee of the whole upon the bill, entitled, "An Act granting a Charter to an Incorporated Company, under the style and title of the President and Directors of the London and Devonport Rail-road and Harbour Company," and the Report of the Select Committee thereon.

London & Devonport Rail-road bill, re-committed.

The Honorable Mr. Elmsley took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Reported.

Ordered, that the report be received; and,

Adopted.

Ordered, that the said bill be read a third time to-morrow.

The Honorable the Speaker reported to the House, that a Deputation from the Commons House of Assembly had brought up a bill, entitled, "An Act incorporating a Joint Stock Company, under the style and title of the President, Directors and Company, of the London District Bank," to which they requested the concurrence of this House.

Speaker reports the receipt of London District Bank bill, from the Assembly.

The said bill was then read; and it was,

Read first time.

Ordered, that the same be read a second time to-morrow.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill, entitled, "An Act to afford protection to the public, as well as to facilitate the business of Joint Stock Banking Companies."

Joint Stock Banking Companies facility bill, committed.

The Honorable Mr. Allan took the Chair.

After some time the House resumed.

House resumes.

The Honorable Mr. Macaulay enters.

A Member enters.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill, entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Prescott Bank."

Prescott Bank bill, committed.

The Honorable Mr. Adamson took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said bill into consideration, and had agreed to a certain Resolution, which they recommended to the adoption of the House.

A Resolution reported.

Ordered, that the report be received; and,

Read first time.

The said Resolution was then read by the Clerk, as follows:

*Resolved*—That it is not expedient to incorporate, during the present Session of the Legislature, more than one Banking Company in the Johnstown District."

The Resolution.

The said resolution being read a second time, and the question of concurrence put thereon, it was agreed to by the House; and it was,

Read second time, and adopted.

Friday, 13th January, 1837.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

Ordered accordingly.

Order of the day for committing Prince Edward District Bank bill, read;

Upon the order of the day being read, for the House to be put into a Committee of the whole, upon the bill, entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Prince Edward District Bank," it was moved and seconded, that it be,

And a resolution moved.

*Resolved*—That it is not expedient to incorporate a Banking Company in the Prince Edward District, during the present Session of the Legislature.

Read second time, and adopted.

The said resolution being read a second time, and the question of concurrence put thereon, it was agreed to by the House; and it was,

Ordered accordingly.

Erie and Ontario Bank bill, committed.

Pursuant to the order of the day, the House was put into a Committee of the whole upon the bill, entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Erie and Ontario Bank of the Niagara District," and the Report of the Select Committee thereon.

The Honorable Mr. Macaulay took the Chair.

After some time the House resumed.

Reported, and leave asked to sit again.

The Chairman reported that the Committee had taken the said bill, and the report thereon, into consideration, and had made some progress therein, and asked leave to sit again next Monday se'night.

Leave granted.

Ordered, that the report be received, and leave granted accordingly.

Petition of James Cotter, and others, read.

Pursuant to the order of the day, the petition of James Cotter, and others, inhabitants of the District of Prince Edward, praying for the establishment of a Banking Company in the said District by Legislative enactment, was read.

A return of the Saint Lawrence Inland Marine Assurance Company, laid on the table.

The Honorable the Speaker laid on the table the return of the Saint Lawrence Inland Marine Assurance Company, for the year 1836.

Report of the Select Committee upon Brockville Insurance and Loan bill, presented.

The Honorable Mr. Baldwin, from the Select Committee, to whom was referred the bill, entitled, "An Act to establish a Life Insurance and Loan Company in Brockville, in the District of Johnstown," presented their Report.

Ordered, that it be received; and,

Read.

The same was then read by the Clerk, as follows:—

The Select Committee to which has been referred the bill, entitled, "An Act to establish a Life Insurance and Loan Company at Brockville, in the District of Johnstown," beg leave to report, as follows:

The Report.

This bill is intended as a substitute for that which passed the two Houses of this Legislature in the year 1835, but on which no decision has yet been made by His Majesty, for reasons stated by the Colonial Secretary, in his Despatch of 15th June in the same year, and in the more recent correspondence laid before the Legislature at the present Session.

Your Committee has compared this bill with that passed in the year 1835, as well as the bill now under the consideration of your Honorable House for the establishment of the Upper Canada Loan and Trust Company; it appears to be modelled on the latter, and to differ from it in no material point, except that it does not direct the establishment of agencies in each of the Districts of the Province.

Some modification may perhaps be advisable in the provisions of the twenty-third section, which contemplates an inspection by a Joint Committee of the Legislative Council and Assembly of the Company's books and vaults, situated in the Town of Brockville, a duty which it would probably be inconvenient at all seasons for any Joint Committee personally to perform.

The twenty-eighth clause, declaring it a public Act, may be omitted as unnecessary.

The bill differs in one important particular from the bill of 1835, in which the Company is expressly prohibited from carrying on the business of Banking. By the present bill, the Company would be authorised to buy and sell Drafts and Bills of Exchange; to issue bills or notes; and generally to do business as Bankers.

All which is humbly submitted,

(Signed)

A. BALDWIN,

CHAIRMAN.

Committee Room, Legislative Council,

Thirteenth January, 1837.

Monday, 16th January, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

On motion made and seconded; it was,

Ordered, that the last-mentioned bill, and the report of the Select Committee thereon, be referred to a Committee of the whole House on Monday next.

The Honorable Mr. James Kerby brought up the petition of the President and Directors of the Erie and Ontario Rail-road Company; and also the petition of Christopher Beer, as Chairman at a Public Meeting, held in the District of London; which were laid on the table.

Petitions of the President, &c. of the Erie and Ontario Rail-road Company; And Christopher Beer, and others, brought up.  
House adjourns.

On motion made and seconded, the House adjourned until Monday next, at the hour of one of the clock, P.M.

MONDAY, 16th JANUARY, 1837.

The House met pursuant to adjournment.

House meets.

PRESENT :

*The Honorable* JOHN B. ROBINSON, SPEAKER.

*The Honorable Messrs.* ELMSLEY,

*The Honorable Messrs.* MARKLAND,

" " BALDWIN,

" " ALLAN,

" " JAMES KERBY,

" " JONES,

" " MORRIS.

" " McDONELL,

Members present.

Prayers were read.

The Minutes of Friday last were read.

A Deputation from the Commons House of Assembly returned the bill, entitled, "An Act to establish a Bank at Brockville, in the District of Johnstown," and acquainted this House, that the Commons House of Assembly had acceded to the amendments made by the Legislative Council in and to the same, and then withdrew.

Amendments to Brockville Bank bill, acceded to by the Assembly.

Pursuant to the order of the day, the bill, entitled, "An Act granting a charter to an incorporated company, under the style and title of the President and Directors of the London and Devonport Rail-road and Harbour Company," was read a third time and passed :

London & Devonport Rail-road bill, read third time and passed.

Whereupon the Speaker signed the same; and it was,

Same signed;

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council have passed this bill without any amendment.

And the Assembly acquainted thereof.

The Honorable Mr. Crookshank and the Honorable and Venerable the Archdeacon of York, enter.

Members enter.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill, entitled, "An Act to incorporate certain persons under the style and title of the Upper Canada Loan and Trust Company."

Upper Canada Loan and Trust Company's bill, re-committed.

The Honorable Mr. James Kerby took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said bill into consideration, had made some further progress therein, and recommended that the same be referred to a Select Committee, with power to send for persons and papers, and to report thereon by amendment or otherwise.

Reported; and,

Ordered, that the report be received; and,

Ordered, that the said bill be referred to a Select Committee, with power to send for persons and papers, and to report thereon by amendment or otherwise; and,

Referred to a Select Committee.

Ordered, that the Honorable Messieurs Markland, Baldwin, and James Kerby, do compose the same for that purpose.

Members composing same.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill, entitled, "An Act to establish a Life Insurance and Loan Company, at Brockville, in the District of Johnstown," and the report of the Select Committee thereon.

Brockville Insurance and Loan bill, committed.

The Honorable Mr. Baldwin took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said bill, and report thereon, into consideration, had made some progress therein, and asked leave to sit again on Thursday next.

Reported, and leave asked to sit again.

Ordered, that the report be received, and leave granted accordingly.

Leave granted.

Pursuant to the order of the day, the bill, entitled, "An Act incorporating a Joint Stock Company under the style and title of the President, Directors and Company, of the London District Bank," was read a second time; and it was,

London District Bank bill, read second time.



Tuesday, 17th January, 1837.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

Ordered, that the House be put into a Committee of the whole, to-morrow, to take the same into consideration.

Petitions of Mahlon Burwell, and another;

A. Murphy, and others;

Daniel Secord, and others;

President, &c. of the Erie and Ontario Rail-road Company;

And Christopher Beer, read.

Pursuant to the order of the day, the petition of Mahlon Burwell, and another, Executors of the Will of the late Roswell Mount, deceased, praying for an Act discharging them from any further responsibility; also the petition of A. Murphy, and others, inhabitants of the eastern townships of the District of London, praying for an Act forming them into a new District, and authorising a loan of money for the purpose of erecting a Court-house and Gaol within the same; also the petition of Daniel Secord, and others, inhabitants of certain townships of the District of Gore, praying for an Act forming them into a new District, and authorising a loan of money for the purpose of building a Gaol and Court-house therein; also the petition of the President and Directors of the Erie and Ontario Rail-road Company, praying for a loan of £5,000; and also the petition of Christopher Beer, as Chairman at a Public Meeting, held in the District of London, praying for an Act establishing a Rail-road from the Town of London, in the said District, to Corunna, in the township of Moore, in the Western District, upon the route and in continuation of the London and Gore Rail-road, either on the part of the Imperial Government, or by a Joint Stock Company to be incorporated for that purpose; were severally read.

Petitions of D. B. Johns, and others; D. G. Bowey, and others;

James Oliver, and others; and, The President, &c. of the Port Dover Harbour Company, brought up. House adjourns.

The Honorable Mr. Morris brought up the petition of D. B. Johns, and others, inhabitants of the township of Marmora; and also the petition of D. G. Bowey, and others, inhabitants of the township of Sydney; which were laid on the table.

The Honorable Mr. Markland brought up the petition of James Oliver, and others, inhabitants of the township of Westminster; and also the petition of the President and Directors of the Port Dover Harbour Company; which were laid on the table.

On motion made and seconded, the House adjourned.

TUESDAY, 17th JANUARY, 1837.

House meets.

The House met pursuant to adjournment.

PRESENT :

Members present.

*The Honorable* JOHN B. ROBINSON, SPEAKER.

*The Honorable Messrs.* MARKLAND,

" " ALLAN,

" " JONES,

" " McDONELL,

*The Honorable Messrs.* ELMSLEY,

" " BALDWIN,

" " JAMES KERBY,

" " MORRIS,

" " MACAULAY.

Prayers were read.

Oath prescribed by Law administered to the Hon. Zaccheus Burnham.

The Honorable Zaccheus Burnham came to the table and took and subscribed the oath prescribed by the Statute of the 31st Geo. III. Chap. 31st, as required by the third Rule of the House at the beginning of a Parliament.

The Minutes of yesterday were read.

London District Bank bill, committed.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill, entitled, "An Act incorporating a Joint Stock Company, under the style and title of the President, Directors and Company, of the London District Bank."

The Honorable Mr. Burnham took the Chair.

A Message being announced, the Chairman left the Chair, and the House formed.

Bills brought up from the Assembly.

A Deputation from the Commons House of Assembly brought up some bills, to which they requested the concurrence of this House, and then withdrew.

London District Bank bill, re-committed.

The House was then again put into a Committee of the whole, upon the bill, entitled, "An Act incorporating a Joint Stock Company, under the style and title of the President, Directors and Company, of the London District Bank."

The Honorable Mr. Burnham took the Chair.

After some time the House resumed.

Amendment reported.

The Chairman reported that the Committee had gone through the said bill, and had made an amendment thereto, which they recommended to the adoption of the House.

Ordered, that the report be received; and,

Read first time.

The said Amendment was then read by the Clerk, as follows:

The amendment.

Press 10, lines 11 & 12—Expunge "town of London," and insert "village of St. Thomas."

Tuesday, 17th January, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House; and it was,

Read second time, and adopted.

Ordered, that it be engrossed, and the said bill, as amended, read a third time to-morrow.

The Honorable the Speaker reported to the House, that a Deputation from the Commons House of Assembly had brought up a bill, entitled, "An Act granting a certain sum of money to the Trustees of the Grantham Academy, for the purpose of liquidating the debts of that Institution, and for other purposes therein mentioned,"; and also a bill, entitled, "An Act to amend the Charter and increase the Capital Stock of the Gore Bank"; to which they requested the concurrence of this House.

Speaker reports the receipt of Grantham Academy Grant bill; and, Gore Bank Charter amendment bill, from the Assembly.

The said bills were then severally read; and it was,

Read first time.

Ordered, that they be read a second time to-morrow.

The Honorable Mr. Morris, from the Select Committee to whom was referred the bill sent up from the Commons House of Assembly, entitled, "An Act to establish a Police in the Town of Cobourg, and to define the limits of the said Town," presented their Report.

Report of the Select Committee upon Cobourg Police bill, presented.

Ordered, that it be received; and,

The same was then read by the Clerk, as follows:

Read.

The Select Committee to whom was referred the bill sent up from the Commons House of Assembly, entitled, "An Act to establish a Police in the Town of Cobourg, and to define the limits of the said Town," beg leave to report:

That they have carefully examined the bill, and beg leave to draw the attention of Your Honorable House to the variation between the boundaries of the Town of Cobourg, as defined by this bill, and that which was sent up from the House of Assembly at the last Session.

The Report.

The following amendments will be necessary to correct errors which appear to have crept into several of the clauses:

Press 4, line 3,—Expunge "meeting," and insert "member."

" 5, " 1,—After "conviction," insert "thereof."

" 9, " 12,—After "walk," expunge "or," and insert "and."

" 12, " 11,—Expunge "must," and insert "shall."

All which is respectfully submitted.

(Signed) W. MORRIS,  
CHAIRMAN.

*Legislative Council, Committee Room,*  
Seventeenth January, 1837.

On motion made and seconded; it was,

Ordered, that the last-mentioned bill, and the report of the Select Committee thereon, be referred to a Committee of the whole House, to-morrow.

A Deputation from the Commons House of Assembly brought up, and delivered at the Bar of this House, a Message in the following words, and then withdrew:

Message from the Assembly.

MR. SPEAKER,

The Commons House of Assembly communicate a Resolution adopted by them on the subject of the interchange of Messages between the two branches of the Legislature.

Communicating resolutions rescinding their former order made on the subject of the future interchange of Messages between the two Houses.

(Signed) ARCHIBALD McLEAN,  
SPEAKER.

*Commons House of Assembly,*  
13th day of January, 1837.

"Resolved—That the Resolution adopted by this House, enforcing the practice pursued in the House of Commons in an interchange of Messages between the two branches of the Legislature, would, if persisted in, instead of obviating the inconvenience complained of, be found highly prejudicial to the despatch of business.

The Resolutions.

"Resolved—Therefore, that the said Resolution be rescinded."

[Attest.]

(Signed) JAMES FITZGIBBON,  
Clerk of Assembly.

*Journal of House of Assembly,*  
13th day of January, 1837.

## Wednesday, 18th January, 1837.

### FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

Private Banking  
Prohibition bill, dis-  
charged for Monday  
next.

The order of the day being read for the House to be again put into a Committee of the whole, upon the bill to protect the public against injury from private Banks; it was,  
Ordered to be discharged, and that the same do stand upon the order of the day for Monday next.

House adjourns.

On motion made and seconded, the House adjourned.

WEDNESDAY, 18th JANUARY, 1837.

House meets.

The House met pursuant to adjournment.

#### PRESENT:

Members present.

*The Honorable* JOHN B. ROBINSON, SPEAKER.  
*The Honorable* Mr. CROOKSHANK,  
*The Hon. & Ven. The* ARCHDEACON OF YORK,  
*The Honorable Messrs.* MARKLAND,  
" " JONES,  
" " McDONELL,  
" " BURNHAM,

*The Honorable Messrs.* ELMSLEY,  
" " BALDWIN,  
" " JAMES KERBY,  
" " CROOKS,  
" " MORRIS,  
" " MACAULAY.

Prayers were read.

The Minutes of yesterday were read.

London District Bank  
bill, as amended, read  
third time and passed.

Pursuant to the order of the day, the bill entitled, "An Act incorporating a Joint Stock Company, under the style and title of the President, Directors and Company, of the London District Bank," was, as amended, read a third time; and,

The question being put, whether this bill as amended should pass, it was carried in the affirmative:

Amendments signed:

Whereupon the Speaker signed the amendment; and it was,

And sent to the Assem-  
bly for concurrence.

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill, with an amendment, to which they desire the concurrence of the Commons House of Assembly.

Cobourg Police bill,  
committed.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill, entitled, "An Act to establish a Police in the Town of Cobourg, and to define the limits of the said Town," as also the report of the Select Committee thereon.

The Honorable Mr. Elmsley took the Chair.

A Message being announced, the Chairman left the Chair, and the House formed.

A bill brought up from  
the Assembly.

A Deputation from the Commons House of Assembly brought up a bill, to which they requested the concurrence of this House, and then withdrew.

Cobourg Police bill,  
re-committed.

The House was then again put into a Committee of the whole, upon the bill, entitled, "An Act to establish a Police in the Town of Cobourg, and to define the limits of the said Town," as also the report of the Select Committee thereon.

The Honorable Mr. Elmsley took the Chair.

After some time the House resumed.

Amendments  
reported.

The Chairman reported that the Committee had gone through the said bill, and had made some amendments thereto, which they were ready to submit whenever the House would be pleased to receive the same.

Ordered, that the report be received to-morrow.

Speaker reports the  
receipt of  
Colborne Harbour  
Company's incorpora-  
tion bill, from the  
Assembly.

The Honorable the Speaker reported to the House, that a Deputation from the Commons House of Assembly had brought up a bill, entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Colborne Harbour," to which they requested the concurrence of this House.

Read first time.

The said bill was then read; and it was,

Ordered, that the same be read a second time to-morrow.

Grantham Academy  
Grant bill; and,  
Gore Bank Charter  
amendment bill, read  
second time.

Pursuant to the order of the day, the bill entitled, "An Act granting a certain sum of money to the Trustees of the Grantham Academy, for the purpose of liquidating the debts of that Institution"; and also the bill entitled, "An Act to amend the Charter and increase the Capital Stock of the Gore Bank," were severally read a second time; and it was,

Ordered, that the House be put into Committees of the whole to-morrow, to take the same into consideration.

Petitions of D. B.  
Johns, and others;

Pursuant to the order of the day, the petition of D. B. Johns, and others, inhabitants of the township of Marmora, praying for certain amendments to the Hastings Division bill, sent up

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SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

from the Assembly this Session; also the petition of D. G. Bowey, and others, inhabitants of the township of Sydney, praying for an Act forming the townships of Cramahe, Murray, Sydney and Thurlow, with the townships in their rear, into a separate District, and that the Legislative Council will make certain amendments to the Hastings Division bill, now before their House; also the petition of James Oliver, and others, inhabitants of the township of Westminster, praying that the Clergy Reserves may be appropriated to purposes of general education; and also the petition of the President and Directors of the Port Dover Harbour Company, praying for an Act increasing the amount of their Capital Stock to £10,000, and for loaning to the said Company the sum of £3,500; were severally read.

D. G. Bowey, and others;

James Oliver, and others; and,

The President, &c. of the Port Dover Harbour Company, read.

The Honorable Mr. Crooks brought up the petition of D. K. Servos, and others, inhabitants of the township of Saltfleet; and also the petition of David Littlejohn, and others, inhabitants of the township of Woolwich, in the District of Gore; which were laid on the table.

Petitions of D. K. Servos, and others; David Littlejohn, and others; and

The Honorable Mr. Macaulay brought up the petition of A. McNab, and others, inhabitants of the Town of Kingston; which was laid on the table.

A. McNab, and others, brought up.

On motion made and seconded, the House adjourned.

House adjourns.

THURSDAY, 19th JANUARY, 1837.

The House met pursuant to adjournment.

House meets.

PRESENT:

*The Honorable* JOHN B. ROBINSON, SPEAKER.

*The Honorable Messrs.* JAMES KERBY,

*The Honorable Messrs.* MARKLAND,

" " CROOKS,

" " JONES,

" " MORRIS.

" " BURNHAM,

Members present.

Prayers were read.

The Minutes of yesterday were read.

The order of the day being read for the House to be put into a Committee of the whole, upon the bill, entitled, "An Act to establish a Life Insurance and Loan Company, at Brockville, in the District of Johnstown," and the report of the Select Committee thereon; it was,

Brockville Insurance and Loan bill, and the Report thereon, discharged for Monday.

Ordered to be discharged, and that the same do stand upon the order of the day for Monday next.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act granting a certain sum of money to the Trustees of the Grantham Academy, for the purpose of liquidating the debts of that Institution."

Grantham Academy Grant bill, committed.

The Honorable Mr. Crooks took the Chair.

A Message being announced, the Chairman left the Chair, and the House formed.

A Deputation from the Commons House of Assembly brought up several bills, to which they requested the concurrence of this House, and then withdrew.

Bills brought up from the Assembly.

The House was then again put into a Committee of the whole, upon the bill, entitled, "An Act granting a certain sum of money to the Trustees of the Grantham Academy, for the purpose of liquidating the debts of that Institution."

Grantham Academy Grant bill, re-committed.

The Honorable Mr. Crooks took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said bill into consideration, had made some progress therein, and recommended that it be referred to a Select Committee, to report thereon by amendment or otherwise.

Reported; and,

Ordered, that the report be received; and,

Ordered, that the said bill be referred to a Select Committee, to report thereon by amendment or otherwise; and,

Referred to a Select Committee.

Ordered, that the Honorable Messieurs James Kerby and Crooks, do compose the same for that purpose.

Members composing same.

The Honorable Mr. Macaulay enters.

A Member enters.

The Honorable the Speaker reported to the House, that a Deputation from the Commons House of Assembly had brought up a bill, entitled, "An Act granting a loan to the Louth Harbour Company, in the Niagara District"; and also a bill, entitled, "An Act to incorporate sundry persons, under the style and title of the Lyndhurst Mining and Manufacturing Company," to which they requested the concurrence of this House.

Speaker reports the receipt of Louth Harbour Company's Loan bill; And Lyndhurst Mining Company's Incorporation bill, from the Assembly.

Thursday, 19th January, 1837.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

- Read first time. The said bills were then severally read; and it was Ordered, that the same be read a second time to-morrow.
- Gore Bank Charter amendment bill, committed. Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill, entitled, "An Act to amend the Charter, and increase the Capital Stock of the Gore Bank."  
The Honorable Mr. Macaulay took the Chair.  
After some time the House resumed.
- Reported; and, The Chairman reported that the Committee had taken the said bill, into consideration, had made some progress therein, and recommended that it be referred to a Select Committee, to report thereon by amendment or otherwise.  
Ordered, that the report be received; and,
- Referred to a Select Committee. Ordered, that the said bill be referred to a Select Committee, to report thereon by amendment or otherwise; and,
- Members composing same. Ordered, that the Honorable Messieurs Jones, James Kerby and Morris, do compose the same for that purpose.
- Amendments to Cobourg Police bill, presented. Pursuant to the order of the day, the amendments made in and to the bill, entitled, "An Act to establish a Police in the Town of Cobourg, and to define the limits of the said Town, were received; and
- Read first time. The same were then read by the Clerk, as follows:  
Press 4, line 3,—Expunge "meeting," and insert "member."  
" 5. " 1,—After "conviction," insert "thereof."  
The amendments. " 9. " 12.—After "walk," expunge "or," and insert "and."  
" 12. " 11.—Expunge "must," and insert "shall."  
" " " 19.—Expunge "Justice of the Peace acting within their divisions," and insert "the Board of Police in other Police Towns within this Province."  
" " " 21.—After "Town," insert "Provided always, that it shall not be lawful for the said Board of Police to lay out, open or establish, any new street, which might interfere with the powers conferred on the Cobourg Harbour Company, by the third clause of an Act passed in the tenth year of the reign of His late Majesty George IV., entitled, 'An Act to improve the navigation of Lake Ontario, by authorising the construction of a Harbour at Cobourg, by a Joint Stock Company.'  
" 13. " 14.—After "be," expunge "to be," in the fifteenth line, and insert "confirmed, or in case of its being rejected, then when any other site which may be afterwards proposed shall be agreed to, or if objected to, in like manner shall be confirmed, such site shall."
- Read second time, and adopted. The said amendments being read a second time, and the question of concurrence put on each, they were severally agreed to by the House; and it was,  
Ordered, that they be engrossed, and the said bill as amended, read a third time to-morrow.
- Colborne Harbour Company's Incorporation bill, read second time. Pursuant to the order of the day, the bill entitled, "An Act to incorporate sundry persons, under the style and title of the President, Directors and Company, of the Colborne Harbour," was read a second time; and it was,  
Ordered, that the same be referred to a Select Committee, with power to send for persons and papers, and to report thereon by amendment or otherwise; and,
- And referred to a Select Committee. Ordered, that the Honorable Messieurs Burnham and Macaulay to compose the same for that purpose.
- Members composing same. The Honorable Mr. Markland, from the Select Committee, to whom was referred the bill entitled, "An Act to incorporate certain persons under the style of the Upper Canada Loan and Trust Company," presented their Report.  
Ordered, that it be received; and,
- Report of the Select Committee upon Upper Canada Loan and Trust Company's bill, presented.
- Read. The same was then read by the Clerk, as follows:  
The Committee appointed to take into consideration a bill, entitled, "An Act to incorporate certain persons under the style of the Upper Canada Loan and Trust Company," have gone through and considered the same.
- The Report. They entirely concur in the principle upon which it is founded, and are of opinion that it will promote the prosperity of the Province; they therefore have confined themselves to some

Friday, 20th January, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

amendments which will better enable the provisions to be carried into effect, and with those amendments, recommend it to the adoption of Your Honorable House.

All which is respectfully submitted.

*Legislative Council, Committee Room,*

Nineteenth day of January, 1837.

The Honorable Messrs. Allan, Elmsley and Baldwin, enter.

Members enter.

On motion made and seconded; it was,

Ordered, that on to-morrow, the House be again put into a Committee of the whole, upon the last-mentioned bill, and the report of the Select Committee thereon.

The Honorable Mr. Crooks, presented a Report and Estimate of the Dundas and Waterloo Turnpike-road; which was laid on the table.

Report and estimate of the Dundas and Waterloo Turnpike Road, presented.

On motion made and seconded; it was,

Ordered, that the Honorable Mr. Baldwin be added to the Select Committee to whom was referred the bill, entitled, "An Act to authorise the erection of the County of Hastings into a separate District."

A Member added to the Select Committee upon Hastings Division bill.

On motion made and seconded, the House adjourned.

House adjourns.

FRIDAY, 20th JANUARY, 1837.

The House met pursuant to adjournment.

House meets.

PRESENT:

*The Honorable* JOHN B. ROBINSON, SPEAKER.

*The Honorable Messrs.* ELMSLEY,

*The Honorable Messrs.* MARKLAND,

" " BALDWIN,

" " JONES,

" " JAMES KERBY,

" " McDONELL,

" " CROOKS,

" " BURNHAM,

" " MORRIS.

Members present.

Prayers were read.

The Minutes of yesterday were read.

Pursuant to the order of the day, the bill entitled, "An Act to establish a Police in the Town of Cobourg, and to define the limits of the said Town," was, as amended, read a third time; and,

Cobourg Police bill, as amended, read third time and passed.

The question being put, whether this bill as amended should pass, it was carried in the affirmative:

Whereupon the Speaker signed the amendments; and it was,

Amendments signed;

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill, with certain amendments, to which they desire the concurrence of the Commons House of Assembly.

And sent to the Assembly for concurrence.

The Honorable and Venerable the Archdeacon of York enters.

A Member enters.

A Deputation from the Commons House of Assembly brought up a bill entitled, "An Act for the permanent completion of the Welland Canal, and for other purposes therein mentioned"; and also a bill entitled, "An Act to afford aid, by way of Loan, to the Gananoque and Wiltie Navigation Company, and to amend the Act of Incorporation of the said Company," to which they requested the concurrence of this House, and then withdrew.

Welland Canal Completion bill; and, Gananoque and Wiltie Navigation Company's Loan bill, brought up from the Assembly.

The said bills were then severally read; and it was,

Read first time.

Ordered, that they be read a second time on Monday next.

The Honorable Messieurs Crookshank, Allan and Macaulay, enter.

Members enter.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to incorporate certain persons under the style of the Upper Canada Loan and Trust Company," and the report of the Select Committee thereon.

Upper Canada Loan and Trust Company's bill, committed.

The Honorable Mr. Burnham took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said bill and report into consideration, had made some progress therein, and asked leave to sit again on Monday next.

Reported, and leave asked to sit again.

Ordered, that the report be received, and leave granted accordingly.

Leave granted.

Pursuant to the order of the day, the bill entitled, "An Act granting a Loan to the Louth Harbour Company, in the Niagara District"; and also the bill entitled, "An Act to incorporate

Louth Harbour Company's Loan bill;

Friday, 20th January, 1837.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

And Lyndhurst Mining Company's Incorporation bill, read second time.

sundry persons under the style and title of the Lyndhurst Mining and Manufacturing Company," were severally read a second time; and it was,

Ordered, that the House be put into Committees of the whole, on Monday next, to take the same into consideration.

Report of the Select Committee upon Colborne Harbour Company's Incorporation bill, presented.

The Honorable Mr. Burnham, from the Select Committee to whom was referred the bill entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Colborne Harbour," presented their Report.

Ordered, that it be received; and,

Read.

The same was then read by the Clerk, as follows:

The Select Committee to which has been referred the bill entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Colborne Harbour," respectfully report:

The Report.

That they have carefully compared this bill with others of similar character, and find nothing in it requiring amendment.

The rules of the House relative to bills of this description have been complied with to a certain extent in the present case. The petition was presented on the 24th November, and the plan of the work duly exhibited to Your Committee. The notice in the Gazette, is dated 30th July last.

All which is humbly submitted.

(Signed) Z. BURNHAM,

CHAIRMAN.

*Legislative Council, Committee Room.*

Nineteenth January, 1837.

On motion made and seconded; it was,

Ordered, that the last-mentioned bill, and the report of the Select Committee thereon, be referred to a Committee of the whole House on Monday next.

Report of the Select Committee upon King's College Charter amendment bill, presented.

The Honorable Mr. Crookshank, from the Select Committee to whom was referred the bill entitled, "An Act to amend the Charter of the University of King's College," presented their Report.

Ordered, that it be received; and,

Read.

The same was then read by the Clerk, as follows:

(For the Report—See Appendix F.)

On motion made and seconded; it was,

And ordered to be printed.

Ordered, that the last-mentioned bill, and the Report of the Select Committee thereon, be referred to a Committee of the whole on Wednesday next: and that in the meantime the Report be printed for the use of Members.

English and other Attornies admission bill, brought in.

The Honorable Mr. Morris, brought in a bill to amend the law relative to the admission of Attornies to practise in this Province.

Read first time.

The said bill was then read; and it was,

Ordered, that the same be read a second time on Monday next.

Petitions of D. K. Servos, and others;

Pursuant to the order of the day, the petition of D. K. Servos, and others, inhabitants of the township of Saltfleet, praying against the operation of the Statute 1st William IV., relative to the Boundary Line of the townships of Saltfleet and Binbrook; also the petition of David Littlejohn, and others, inhabitants of the township of Woolwich, in the District of Gore, praying that the benefits derived from the Clergy Reserves may not be confined to any one particular religious sect; and also the petition of A. McNabb, and others, inhabitants of the Town of Kingston, praying that the Imperial Government may be made aware of the necessity for further improving the Rideau Canal, in the construction of a Lock at the Saint Ann's Rapids; were severally read.

David Littlejohn, and others; and

A. McNab, and others, read.

Petition of Charles F. Spieker, brought up.

The Honorable Mr. Morris brought up the petition of Charles F. Spieker; which was laid on the table.

House adjourns.

On motion made and seconded, the House adjourned until Monday next, at one of the clock, P.M.

Monday, 23rd January, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

MONDAY, 23rd JANUARY, 1837.

The House met pursuant to adjournment.

House meets.

PRESENT :

*The Honorable* JOHN B. ROBINSON, SPEAKER.  
*The Honorable Messrs.* MARKLAND,  
" " ALLAN,  
" " JONES,  
" " McDONELL.

*The Honorable Messrs.* BURNHAM,  
" " ELMSLEY,  
" " BALDWIN,  
" " JAMES KERBY,  
" " MORRIS.

Members present.

Prayers were read.

The Minutes of Friday last were read.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Eric and Ontario Bank of the Niagara District," and the report of the Select Committee thereon.

Erie and Ontario Bank bill, re-committed.

The Honorable Mr. Markland took the Chair.

A Message being announced, the Chairman left the Chair, and the House formed.

The Honorable Mr. Crooks enters.

A Member enters.

A Deputation from the Commons House of Assembly brought up a bill, to which they requested the concurrence of this House; and they delivered at the Bar of this House a certain Message, and then withdrew.

A bill and Message brought up from the Assembly.

The House was then again put into a Committee of the whole, upon the bill entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Eric and Ontario Bank of the Niagara District," and the report of the Select Committee thereon.

Erie and Ontario Bank bill, re-committed.

The Honorable Mr. Markland took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said bill and report again into consideration, had made some further progress therein, and asked leave to sit again this day se'night.

Reported, and leave asked to sit again.

Ordered, that the report be received, and leave granted accordingly.

Leave granted.

The Honorable the Speaker reported to the House, that a Deputation from the Commons House of Assembly had brought up a bill entitled, "An Act to establish two additional Markets in the City of Toronto," to which they requested the concurrence of this House; and also that they had brought up, and delivered at the bar of this House, a Message in the following words:

Speaker reports the receipt of Toronto additional Markets bill; And a Message from the Assembly.

MR. SPEAKER,

The Commons House of Assembly communicate to the Honorable the Legislative Council, certain Resolutions passed by this House this day, on the subject of a Despatch from the Right Honorable Lord Glenelg, Secretary of State for the Colonies, relating to the Local Currency "and circulating medium, or to the rates at which Coins should pass current or be a legal tender, or to the circulation of Promissory Notes or other paper, either by the Local Government, or by any Corporate Bodies or individuals," and request the concurrence of Your Honorable House therein:

Communicating certain Resolutions on the subject of a Despatch relating to the Local Currency.

(Signed) ARCHIBALD McLEAN,

SPEAKER.

*Commons House of Assembly,*

20th day of January, 1837.

The bill entitled, "An Act to establish two additional Markets in the City of Toronto," was read; and it was,

Toronto additional Markets bill, read first time.

Ordered, that the same be read a second time to-morrow.

The Resolutions of the Assembly just received, were then read by the Clerk, as follows:

The Resolutions of the Assembly on the subject of a Despatch relating to the Local Currency, read.

*Resolved*—That by the Despatch of the Right Honorable Lord Glenelg, Secretary of State for the Colonies, bearing date the 31st day of August, 1836, and communicated to this House by Message from His Excellency the Lieutenant Governor, on the 19th day of December last, His Majesty has instructed His Excellency the Lieutenant Governor to reserve for the signification of His Majesty's pleasure thereon, any bills which may be passed by the two Houses of the Legislature which relate to "the Local Currency and circulating medium, or to the rates at which Coins shall pass current, or be a legal tender, or to the circulation of Promissory Notes or other paper, either by the Local Government, or by any Corporate Bodies or individuals."

The Resolutions.



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*Resolved*—That bills have already passed the two Houses, establishing Banks in several of the Districts of this Province to increase the circulating medium of the Country; and in order to carry on the great public works in progress, with others in contemplation, from the limited resources of the Province it is absolutely necessary to raise money by Debentures upon the credit of the public.

*Resolved*—That the laws passed, and those proposed to be enacted, for authorising the issue of Bank paper by Corporate Bodies, or the issuing of Debentures to raise money on the credit of the Province, have not, nor can they possibly have, any injurious effect upon the general interests of the Empire or of our Sister Colonies, but are purely local in their nature, affecting only the welfare of Upper Canada.

*Resolved*—That although the Legislature of this Province has passed several Acts fixing the rates at which various Coins should pass current as a legal tender, and have sometimes done so at the suggestions of His Majesty's Government, this House is nevertheless of opinion, that all matters relating to the Coin should be regulated by His Majesty's Government, in order that a uniformity should prevail in the value of the Coins current in the different Colonies.

*Resolved*—That although this House cannot, nor does it desire, to question the constitutional right of His Majesty's Government to instruct His Majesty's Representative in this Province to withhold His Majesty's assent to any bill which may pass the other branches of the Legislature, or to reserve the same for the signification of His Majesty's pleasure thereon, it cannot forbear respectfully to deprecate the exercise of such right in matters purely local; and in nowise affecting the general interests of the Empire, or those of the Colonies.

*Resolved*—That an humble Address be presented to His Majesty founded on the foregoing Resolutions, and praying that His Majesty will be graciously pleased to revoke the instructions contained in the said Despatch of the Right Honorable Lord Glenelg; and that he will not in future deprive his Representative in this Province of all power to assent to bills of a purely local nature, but leave the Lieutenant Governor to the exercise of a sound discretion, so essential to the satisfactory and proper discharge of the duties of his high station.

On motion made and seconded; it was,

Ordered, that the foregoing Resolutions be referred to a Committee of the whole to-morrow.

A Member enters.

The Honorable Mr. Crookshank enters.

Private Banking Prohibition bill, re-committed.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill to protect the public against injury from private Banks.

The Honorable Mr. Crooks took the Chair.

After some time the House resumed.

Amendments reported.

The Chairman reported that the Committee had gone through the said bill, and had made some amendments thereto, and recommended the bill to the adoption of the House.

Adopted.

Ordered, that the report be received; and,

Ordered, that the said bill be engrossed, and the same read a third time to-morrow.

Upper Canada Loan and Trust Company's bill, re-committed.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to incorporate certain persons under the style of the Upper Canada Loan and Trust Company," and the report of the Select Committee thereon.

The Honorable Mr. Burnham took the Chair.

After some time the House resumed.

Amendments reported.

The Chairman reported that the Committee had gone through the said bill, and had made some amendments thereto, which they recommended to the adoption of the House.

A Member enters.

The Honorable Mr. Macaulay enters.

Ordered, that the report be received; and,

Amendments read first time.

The said amendments were then read by the Clerk, as follows:

The amendments.

Press 1, line 3—After "Province," insert "and will prove highly advantageous to the interests of those persons for whom monies are authorised to be held in trust"

" " " 7—Expunge "part," and insert "certain parts"

" " " 17—Expunge "and their successors," and insert "being stockholders in the company hereby incorporated, and all such other persons as shall become stockholders therein, shall"

" 2, " 1—Expunge "it is," and insert "they are"

" " " 10—After "or," insert "as"

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Press 2, line 16—After “Exchange,” insert “Eightly to carry on the business of Banking under certain restrictions hereinafter mentioned”

“ “ “ 23—Expunge “ Courts,” and insert “ Court ”

“ 3 “ 4—Expunge “and” and insert “or”

“ 4 “ 7—After “the,” expunge “said”

“ “ “ 8—After “ Trustees,” insert “ hereinafter mentioned ”

“ “ “ 12—After “manner,” expunge to “following”

“ “ “ 13—Before “interest,” insert “principal or”—After “same,” insert “on the day when the same shall become payable”

“ “ “ 16—After “payable,” expunge to “and any” in line 20, and insert “provided the debt and interest, with the charge of such advertisement, shall not have been paid or tendered”

“ 5 “ 8—After “be,” expunge the remainder of the clause, and insert “paid over to the mortgagor, his heirs or assigns: Provided always, nevertheless, that the Company shall in no case become the purchaser of any estate to be sold as aforesaid, where a sufficient sum shall be bid by any other person or persons at such sale to pay the debt due to the said Company, with all lawful charges thereon; and that wherever the estate shall be evidently of greater value than double the amount of the debt secured thereon, the whole of such estate shall not necessarily be sold, unless the owner thereof, or person interested therein, shall signify his assent to the same, but at the sale such portion only shall be disposed of as may be found necessary for paying the debt and interest, and the charges attending the same; and that in all cases when the Company shall become the purchasers, they shall, within twelve months, offer the estate so purchased by them for sale a second time by public auction, giving three months’ notice thereof in the same manner as in respect to the first sale; and at any time before such sale, or at such sale, the mortgagor, his heirs or assigns, may redeem such estate, and shall be entitled to a reconveyance thereof, on payment of the debt and interest, and all charges justly chargeable by the said Company; but in case the estate shall not be so redeemed, then it shall be absolutely disposed of at such sale to the highest bidder, and any surplus which it may produce shall be paid to the mortgagor, his heirs or assigns.— Provided always, that the equity of redemption of any such estate shall by virtue of such sale be, and be held to be, absolutely extinguished; Provided also, that it shall be lawful for the Trustees of the said Company, by any by-law or by-laws to be by them made, to alter the provisions in this clause contained, or any of them, or to substitute others in lieu thereof, so that such by-law or by-laws shall first be approved of by the Court of King’s Bench in this Province.

“ And be if further enacted by the authority aforesaid, That unless the mortgagor, his heirs or assigns, shall signify a desire to the contrary, any real estate to be sold by auction under the provisions of this Act, shall be exposed to sale in that District in which the estate shall be situated, and at the time in which the Court of General Quarter Sessions is holden, on some day during the sitting of such Court.”

“ “ “ 16—After “President,” insert “and a Vice President”

“ “ “ 21—After “for,” expunge the remainder of the clause, and insert “good cause shown to the Court by or on behalf of any person interested”

“ 6, “ 7—After “in,” insert “the Upper Canada Gazette, and”

“ “ “ 9—After “persons,” insert “Provided they shall respectively become Stockholders as hereinafter mentioned”

“ “ “ 15—Add to the twelfth clause, “Provided always, that if all the persons above named, shall not subscribe stock in the said Company sufficient to entitle them to be Trustees, then the remaining number shall be elected by the Trustees who shall be so qualified, from among those holding sufficient stock according to this Act.”

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Press 6, line 17—After “after,” insert “the passing of”—after “Act,” expunge “shall be in force”

“ 7, “ 11—After “Stockholder,” insert “together with all previous payments made thereon”

“ “ “ 17—After “within” expunge “one,” and insert “two”

“ “ “ 18—After “Trustee,” insert “not becoming a Stockholder within that period, or”—after “ceasing,” insert “afterwards”

“ 8, “ 2—After “as,” expunge the remainder of the clause, and insert “one hundred thousand pounds of the capital stock shall have been subscribed, and fifteen per centum thereon paid in, the Trustees shall proceed to elect a President, and he, together with at least three of the Trustees, shall examine and count the money so paid into the vaults of the said Company, whose duty it shall be to make oath that the said capital has been *bona fide* paid in by the said Stockholders of the said Company, under the regulations of this Charter, and that it is intended to be, and was received as a part of the said Capital Stock; whereupon it shall be the duty of the said Company to publish such oath of the President and three Trustees in the Upper Canada Gazette, together with a notice that the Company is prepared to commence the transactions of business.”

“ “ “ 26—After “estate,” add to the clause “to the amount of one thousand pounds required to be held by him as Trustee”

“ 9 “ 10—After “proper,” add to the clause “but the said Company shall not hold stock in any private Incorporated Company, beyond five thousand pounds”

“ “ “ 14—After “direct,” expunge the remainder of the clause, and insert “and the Court of King’s Bench if they shall deem it proper, may refer such statement to some person to be specially named by them as a Commissioner, with directions to make a full and thorough investigation into the affairs and management of the said Company, and to report to the Court his opinion in relation to the ability and integrity with which its affairs are conducted; the prudence and safety of its investments; the security afforded to those by whom its engagements are held, and the advantage derived by the public from its operations; and that the expenses of every such investigation shall be defrayed by the said Company, and copies of the report of such special Commissioner, and of the statement of the Trustees on which it is founded, shall be transmitted by the Commissioner to the Lieutenant Governor of this Province, to be laid before each House of the Legislature at the next Session.”

“ 10—Expunge the twenty-second clause, and insert “23. And be it further enacted by the authority aforesaid, That whenever it may be deemed expedient, a Joint Committee of the Legislative Council and House of Assembly may, at any time during the Session of the Legislature, examine into the condition and affairs of the said Company, and may require the production before them of the books and minutes of the proceedings of the Board of Trustees, and may ascertain the amount of gold and silver—the amount of deposits made with the Company—the balances due to and from the said Company—and may enquire into all other their affairs and transactions, and report thereon for the information of the Legislature.

“ “ “ 16—After “Notes,” insert payable on demand, and not of a denomination less than five Shillings”

“ “ “ 21—Expunge “in,” and insert “on”

“ “ “ 22—After “annum,” expunge the remainder of the clause, and insert “and if any Bills or Notes that may be issued by the said Company in the course of their banking operations, shall not be redeemed in specie when duly demanded, such Bills or Notes shall bear an interest thereon at the rate of twelve per centum per annum, for such time as the said Bills or Notes remain unpaid; to be reckoned from the day of presentment or demand, of which day the person tendering such Bill or Note may demand to have a memorandum endorsed and signed by the President, or some other proper officer of the said Company.”

Tuesday, 24th January, 1837.

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The said amendments being read a second time, and the question of concurrence put on each, they were severally agreed to by the House; and it was,

Read second time, and adopted.

Ordered, that they be engrossed, and the said bill as amended, read a third time on Wednesday next.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to establish a Life Insurance and Loan Company at Brockville, in the District of Johnstown," and the report of the Select Committee thereon.

Brockville Insurance and Loan bill, re-committed.

The Honorable Mr. Macaulay took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said bill and the report thereon, again into consideration, had made some further progress therein, and asked leave to sit again on Wednesday next.

Reported, and leave asked to sit again.

Ordered, that the report be received, and leave granted accordingly.

Leave granted.

On motion made and seconded, the House adjourned until to-morrow, at twelve of the clock, at noon.

House adjourns.

TUESDAY, 24th JANUARY, 1837.

The House met pursuant to adjournment.

House meets.

PRESENT:

*The Honorable* JOHN B. ROBINSON, SPEAKER.

*The Honorable Messrs.* JAMES KERBY,

*The Honorable Messrs.* BURNHAM,

" " CROOKS,

" " ELMSLEY,

" " MORRIS,

" " BALDWIN,

" " MACAULAY.

Members present.

Prayers were read.

The Minutes of yesterday were read.

Pursuant to the order of day, the bill to protect the public against injury from private Banks, was read a third time and passed; and it was,

Private Banking Prohibition bill, read third time, and passed.

Ordered, that the title be, "An Act to protect the public against injury from private Banks."

Title ordered.

Whereupon the Speaker signed the bill; and it was,

Bill signed;

Ordered, that the same be sent to the Commons House of Assembly, by the Master in Chancery, for the concurrence of that House.

And sent to the Assembly for concurrence.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act granting a Loan to the Louth Harbour Company, in the Niagara District."

Louth Harbour Company's Loan bill, committed.

The Honorable Mr. Burnham took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said bill into consideration, had made some progress therein, and asked leave to sit again on Monday next.

Reported, and leave asked to sit again.

Ordered, that the report be received, and leave granted accordingly.

Leave granted.

The Honorable Mr. McDonell enters.

A Member enters.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to incorporate sundry persons, under the style and title of the Lyndhurst Mining and Manufacturing Company."

Lyndhurst Mining Company's Incorporation bill, committed.

The Honorable Mr. Crooks took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and had made an amendment thereto, which they recommended to the adoption of the House.

Amendment reported.

Ordered, that the report be received; and,

The said amendment was then read by the Clerk, as follows:

Read first time.

Press 5, line 6—After "in" expunge "August," and insert "January."

The amendment.

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House; and it was,

Read second time, and adopted.

Ordered, that it be engrossed, and the said bill as amended, read a third time to-morrow.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to incorporate sundry persons, under the style and title of the Presi-

Colborne Harbour Company's Incorporation bill, committed.

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dent, Directors and Company, of the Colborne Harbour," and the report of the Select Committee thereon.

The Honorable Mr. Baldwin took the Chair.

After some time the House resumed.

Reported.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Adopted.

Ordered, that the report be received.

Members enter.

The Honorable Messieurs Crookshank and Allan enter.

Ordered, that the said bill be read a third time to-morrow.

Welland Canal Completion bill, read second time;

Pursuant to the order of the day, the bill entitled, "An Act to provide for the permanent completion of the Welland Canal, and for other purposes therein mentioned," was read a second time; and it was,

And referred to a Select Committee.

Ordered, that the same be referred to a Select Committee, to report thereon; and,

Members composing same.

Ordered, that the Honorable Messieurs Burnham, Elmsley, James Kerby, and Crooks, do compose the same for that purpose.

Gananoque and Wiltsie Navigation Company's Loan bill; Toronto additional Markets bill; and, English and other Attornies admission bill, read second time.

Pursuant to the order of the day, the bill entitled, "An Act to afford aid, by way of loan, to the Gananoque and Wiltsie Navigation Company, and to amend the Act of Incorporation of the said Company"; also the bill entitled, "An Act to establish two additional Markets in the City of Toronto"; and also the bill to amend the Law relative to the admission of Attornies to practise in this Province, were severally read a second time; and it was,

Ordered, that the House be put into Committees of the whole to-morrow, to take the said bills into consideration.

Resolutions of the Assembly relating to the Local Currency, committed.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the Resolutions of the Commons House of Assembly, on the subject of a Despatch received from the Secretary of State for the Colonies relating to the Local Currency.

The Honorable Mr. Crookshank took the Chair.

After some time the House resumed.

Reported.

The Chairman reported that the Committee had gone through the said Resolutions, and recommended the same to the adoption of the House.

Ordered, that the report be received to-morrow.

Petition of Charles F. Spicker, read.

Pursuant to the order of the day, the petition of Charles F. Spicker, praying for an Act to enable him to hold mines, minerals and real estate in this Province, in as full and ample a manner as if he were a natural-born Subject of His Majesty, was read.

Petition of James Boulton, brought up.

The Honorable Mr. Morris brought up the petition of James Boulton, which was laid on the table.

Report of the Select Committee upon Grantham Academy Grant bill, presented.

The Honorable Mr. James Kerby, from the Select Committee to whom was referred the bill entitled, "An Act granting a certain sum of money to the Trustees of the Grantham Academy, for the purpose of liquidating the debts of that Institution," presented their Report.

Ordered, that it be received; and,

Read.

The same was then read by the Clerk, as follows:

The Select Committee of the Honorable the Legislative Council, to whom was referred the bill sent up from the House of Assembly, entitled, "An Act granting a certain sum of money to the Trustees of the Grantham Academy, for the purpose of liquidating the debts of that Institution" and for other purposes therein mentioned, beg leave to Report:

The Report.

The whole object of the bill seems to your Committee to be, to obtain a grant from the Public Funds of the Province of the sum of £250, for the purpose of paying off a debt against the Academy, contracted, as appears by information received from W. H. Merritt, Esquire, a Member of the House of Assembly for the County of Haldimand, but whose place of residence is in the Village where the said Academy is situated, and who appears to have been a large donor towards its endowment, in its erection, and to repair the building. This information, as well as another paper mentioning the number of scholars taught therein in the past year, your Committee beg leave to append to this Report. By the former it appears also that a judgment has been obtained for the said debt, and an execution actually placed in the Sheriff's hands, but forborne to be acted upon, in the expectation that the Legislature, by granting the sum asked for, would obviate the necessity of proceeding to the sale of the said building.

In investigating the matter submitted to them, your Committee have come to the knowledge that a bill was sent up from the Assembly in the first Session of the last Parliament, authorising the sale by the Trustees of said Academy of part of its estate, in order to meet

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debts then existing, which, although referred to a Select Committee of your Honorable House, it does not appear that any report was made thereon, which is to be regretted, as had said bill received the sanction of all the branches of the Legislature, it would in all probability have obviated the necessity of the present application; for your Committee think they are only reiterating the sense of your Honorable House, in expressing their own opinion in favour of encouraging the endeavours of individuals to promote by their own means, the extension of education throughout the Province.

Whether the enactment of such a Law at this time would relieve the Academy from its present embarrassments, your Committee submit for the consideration of your Honorable House: The property belonging to it appears to be considerable, and a proportion might be disposed of without serious injury to the establishment; and this course your Committee are the more inclined to recommend, than to grant a sum of money to any Institution not under the control of any Legislative enactment, and over whose proceedings and course of education it has no superintendence or authority; as were a precedent once established in the manner proposed by the present bill, it would be difficult, and might seem unjust hereafter, to withhold similar aid from other Institutions situated as the Grantham Academy is: thus creating a large drain upon the public funds of the Province, and materially interfering with the system instituted by law for the regulation of education in it.

Your Committee beg leave further to report, that should the above suggestion not meet with the concurrence of Your Honorable House, and that the grant provided for in the bill submitted to them is approved of, Your Committee would recommend that the said grant be made by way of loan, redeemable in a reasonable number of years, and to be secured, as well as the annual interest thereon, either upon the freehold of the said Academy, or that of individuals.

All which is respectfully submitted.

(Signed) JAMES KERBY,  
CHAIRMAN.

*Legislative Council, Committee Room.*

Twenty-fourth January, 1837.

On motion made and seconded; it was,

Ordered, that the last-mentioned bill, and the report of the Select Committee thereon, be referred to a Committee of the whole House, to-morrow.

The Honorable Mr. Allan brought in a bill to authorise the erection of a new Gaol for the Home District.

The said bill was then read; and it was,

Ordered, that the same be read a second time to-morrow.

On motion made and seconded, the House adjourned.

WEDNESDAY, 25th JANUARY, 1837.

The House met pursuant to adjournment.

PRESENT:

*The Honorable* JOHN B. ROBINSON, SPEAKER.

*The Honorable* Mr. CROOKSHANK,

*The Hon. & Ven. The* ARCHDEACON OF YORK,

*The Honorable Messrs.* ALLAN,

" " McDONELL,

" " BURNHAM,

*The Honorable Messrs.* ELMSLEY,

" " BALDWIN,

" " HAMILTON,

" " JAMES KERBY,

" " CROOKS,

" " MORRIS.

Home District New Gaol bill, brought in.

Read first time.

House adjourns.

House meets.

Members present.

Prayers were read.

The Honorable Thomas Alexander Stewart came to the table, and took and subscribed the oath prescribed by the Statute of the 31st Geo. III. Chap. 31st, as required by the third Rule of this House at the beginning of a Parliament.

The Minutes of yesterday were read.

Pursuant to the order of the day, the bill entitled, "An Act to incorporate certain persons under the style of the Upper Canada Loan and Trust Company" was, as amended, read a third time; and

Oath prescribed by Law administered to the Hon. Mr. Stewart.

Upper Canada Loan and Trust Company's bill, as amended, read third time and passed.

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The question being put, whether this bill as amended should pass, it was carried in the affirmative:

Amendments signed:

Whereupon the Speaker signed the amendments; and it was,

And sent to the Assembly for concurrence.

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill, with certain amendments, to which they desire the concurrence of the Commons House of Assembly.

Lyndhurst Mining Company's incorporation bill, as amended, read third time and passed.

Pursuant to the order of the day, the bill entitled, "An Act to incorporate sundry persons under the style and title of the Lyndhurst Mining and Manufacturing Company," was, as amended, read a third time; and,

The question being put, whether this bill as amended should pass, it was carried in the affirmative:

Amendment signed:

Whereupon the Speaker signed the amendment; and it was,

And sent to the Assembly for concurrence.

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill, with an amendment, to which they desire the concurrence of the Commons House of Assembly.

Colborne Harbour Company's Incorporation bill, read third time, and passed.

Pursuant to the order of the day, the bill entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Colborne Harbour," was read a third time, and passed.

Same signed:

Whereupon the Speaker signed the same; and it was,

And the Assembly acquainted thereof.

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill without any amendment.

Message from the Assembly.

A Deputation from the Commons House of Assembly brought up, and delivered at the Bar of this House, a Message in the following words, and then withdrew:

MR. SPEAKER,

The Commons House of Assembly have passed the accompanying Resolutions on the subject of the Post Office, which they communicate to the Honorable the Legislative Council, and request their concurrence therein.

(Signed) ARCHIBALD McLEAN,

SPEAKER.

*Commons House of Assembly,*

23rd day of January, 1837.

Read.

The said Resolutions of the Assembly were then read by the Clerk, as follows:

The Resolutions.

*Resolved, 1st*—That the proper organization and management of the Post Office, is an object of the first importance to all His Majesty's Subjects, inasmuch as they depend on that Department for the safe and regular conveyance of public and private correspondence between the various and distant parts of the Empire, and with foreign Countries.

*Resolved, 2nd*—That by an Act of the Imperial Parliament, passed in the fourth year of His Majesty's reign, authority has been given to the Provinces in North America, having local and independent Legislatures, to levy rates of internal postage on letters and packets, and to make regulations for the management of the Post Office within such Provinces respectively, by His Majesty's Post Master General, the surplus revenue which might arise from the collection of such rates being applicable to the use and benefit of the respective Provinces, in proportion to the gross amount of the rates of postage raised and collected within each, until the distribution thereof should be otherwise ordered by the concurrent Acts of the Colonial Legislatures.

*Resolved, 3rd*—That conformably to the said Imperial Act of 4th William IV. Chap. 7th, which was founded on the representations from time to time made to His Majesty's Government by the Legislature and inhabitants of several of the North American Provinces, a bill for the management and regulation of the Post Office in each of the said Provinces was, by desire of His Majesty's Secretary of State for the Colonies, submitted to the Legislature of this Province by His Excellency Sir John Colborne, on the 20th January, 1835, together with an extract from a Despatch dated Downing Street, 5th October, 1834, in which a benevolent hope is expressed, that the measure thus proposed would "prove the means of settling an important question to the satisfaction of all parties."

*Resolved, 4th*—That in order to give effect to the measure contemplated by the Act of the Imperial Parliament, and "establish a practicable system," it was stated, by the Right Honorable the Secretary for the Colonies in his Despatch accompanying the said measure, that "a uniformity of views should pervade the bills passed by the Legislatures of the several North American Provinces."

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*Resolved, 5th*—That on mature consideration of the principle and details of the “bill for the management and regulation of the Post Office in Upper Canada,” and the Legislative proceedings had thereupon in this and the neighboring Provinces, there do not appear reasonable grounds for hoping that the several Colonial Legislatures will soon, if indeed ever, arrive at such uniformity in their enactments for the regulation of the Post Office within their respective localities, as would ensure the establishment of “a practicable system,” more especially since it is allowed that the bill of one Legislature, in order to take effect, must correspond in all its material provisions with the bills of all the other Legislatures, and that after all these bills had been found to concur, and had in consequence become laws, no alteration thereof, however expedient it might be deemed by one Legislature, for the improvement of the system could be carried into effect, until agreed to by each separate Legislature.”

*Resolved, 6th*—That conceiving the judicious regulation of the Post Office to be necessary for the encouragement and convenience of Commerce, and eminently calculated to strengthen the ties that connect the several portions of His Majesty’s Dominions with one another, it would, in the opinion of this House, be advantageous to the inhabitants of this Province, and would in particular, most effectually provide for the regular, safe, speedy and economical, transmission of the correspondence, both public and private, to and from the same, if instead of suffering this great Department to be controlled by local Legislation in each Province, the Imperial Parliament should still continue to preserve in its own hands the exclusive power of enacting laws for its government and management, as well in Upper Canada as in all other parts of His Majesty’s Dominions.

*Resolved, 7th*—That thus approving of the continuance of the Post Office Department in its proper character of an Imperial institution, regulated by uniform laws, and ensuring to His Majesty’s Subjects the means of ready communication with all parts of the world, this House is further of opinion, that the just and reasonable wishes of the people of Upper Canada would be fully satisfied if the present Laws and Regulations for the management of the Post Office were modified by the Imperial Parliament according to the following propositions:

1. All proper and necessary information respecting the management and condition of the Department within this Province, to be supplied by the Deputy Post Master General of British North America, or his Chief Assistant or Deputy here, when demanded by either branch of this Legislature.

2. The accounts of the Department for the whole of the North American Colonies, to be annually transmitted to the Lieutenant Governor of this Colony, between the fifth day of July and the fifth day of October in each year; in such order and form, and including such details as may be thought reasonable and convenient.

3. Complaints against the Deputy Post Master General, preferred by petition to the Legislature, to be enquired into by His Majesty’s Government, and disposed of as soon as possible, if countenanced and supported by a joint Address from both Houses of the Legislature.

4. The table of rates of Postage on letters and packets, and also on newspapers and printed sheets, as follows:

PROPOSED TARIFF OF POSTAGE.

	s.	d.
From 1 to 50 miles inclusive.....	0	4
“ 50 to 150 “ “ .....	0	7 or 8d.
“ 150 to 300 “ “ .....	0	10
“ 300 to 400 “ “ .....	1	0
Above 400 “ “ .....	1	4
Newspapers.....	0	0½ each.
Pamphlets.....	0	1 a sheet.

His Majesty’s Post Master General, or his Deputy in British North America, to have the right of deciding what is a newspaper under the Act, and what a pamphlet.

And the privilege of Franking to be allowed as follows, viz:

To the Lieutenant Governor.

To the Civil Secretary to the Lieutenant Governor.

To the Clerk of the Executive Council.

To the Receiver General.



Wednesday, 25th January, 1837.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

To the Inspector General.

To the Surveyor General.

To the Secretary of the Province, and Deputy Secretary.

To the Commissioner of Crown Lands.

To the Members of the Legislative Council and House of Assembly, (while in Session.)

To the Clerks of the Legislative Council and House of Assembly.

To the Adjutant General of Militia.

The Attorney General.

The Post Office Department.

The Director General of Public Works in Upper Canada, if any such officer shall be appointed.

5. The Deputy Post Master General in British North America to be granted a certain fixed salary, with established allowances for Office Assistants, and other incidental expenses in lieu of all fees and perquisites.

6. The Postage on newspapers and printed sheets to merge hereafter in the general revenue of the Department; the present Deputy Post Master General being allowed such compensation for the abolition of his perquisite on newspapers as His Majesty may please to direct.

7. His Majesty's Post Master General to enter into such arrangements with foreign countries, for the transmission of letters, &c. and the collection of Postages, as may be found most desirable for the common convenience, and the benefit of the revenue.

8. Public accommodation being the primary object in the establishment of the Post Office, it is expedient that the Deputy Post Master General be authorised to make such arrangements for the transport of mails by steamboats or rail-roads, as he may deem proper.

9. A just and equitable portion of the excess of Postage, beyond the necessary expenditure of the Department, to be allotted to the several Provinces, which, in the opinion of your Committee, may be determined with sufficient accuracy in the mode provided by the Imperial Statute, namely, in proportion to the gross receipts within each.

10. Until the introduction of a new system for the Post Office, the surplus revenue, as at present collected, to be annually distributed among the Provinces, in proportion to the gross receipts within each, and to be subject to the disposal of the local Legislatures, for the improvement of the Post roads, and especially of the bridges thereupon.

11. Such modifications of the rates of Postage, and other arrangements for the satisfactory regulation and efficient management of the Department, as the local Legislatures, each by joint Address from both branches thereof to His Majesty, may from time to time, show to have become just and necessary.

*Resolved*—That an Address be presented to His Majesty, founded on the foregoing Resolutions.

On motion made and seconded; it was,

Ordered, that the foregoing Resolutions be referred to a Committee of the whole House to-morrow.

The Honorable Mr. Macaulay enters.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to amend the Charter of the University of King's College," and the report of the Select Committee thereon.

The Honorable Mr. Hamilton took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said bill into consideration, had made some progress therein, and asked leave to sit again on Friday next.

Ordered, that the report be received, and leave granted accordingly.

A Deputation from the Commons House of Assembly brought up and delivered at the Bar of this House, a Message in the following words, and then withdrew:

MR. SPEAKER,

The Commons House of Assembly request that the Honorable the Legislative Council will grant permission to the Honorable Messieurs Dunn and Markland, to attend a Select Committee of this House, appointed to consider and report on the petition of W. J. Kerr, Esquire.

(Signed) ARCHIBALD McLEAN,

SPEAKER.

Commons House of Assembly,

20th January, 1837.

A Member enters.

King's College  
Charter amendment  
bill, committed.

Reported, and leave  
asked to sit again.

Leave granted.

Message from the  
Assembly.

Requesting permission  
for the Hon. Messrs.  
Dunn and Markland  
to attend a Select  
Committee of that  
House.

Thursday, 26th January, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

On motion made and seconded, the House adjourned until to-morrow, at eleven of the clock, A. M. House adjourns.

THURSDAY, 26th JANUARY, 1837.

The House met pursuant to adjournment. House meets.

PRESENT :

*The Honorable* JOHN B. ROBINSON, SPEAKER.

*The Honorable Messrs.* JAMES KERBY,

*The Honorable Messrs.* McDONELL,

“ “ CROOKS,

“ “ BURNHAM,

“ “ STEWART,

“ “ HAMILTON,

“ “ MORRIS.

Members present.

Prayers were read.

The Minutes of yesterday were read.

The order of the day being read for again putting the House into a Committee of the whole, upon the bill entitled, “An Act to establish a Life Insurance and Loan Company at Brockville, in the District of Johnstown,” and the report thereon; it was, Brockville Insurance and Loan bill, and the report thereon, discharged from the order of the day;

Ordered to be discharged; and that the said bill be referred back to a Select Committee, with instructions so to amend the bill as that the same may correspond with the provisions of the bill entitled, “An Act to incorporate certain persons under the style of the Upper Canada Loan and Trust Company.” and to report thereon; and, And the bill referred back to a Select Committee.

Ordered, that the Honorable Messieurs Hamilton and James Kerby, do compose the same for that purpose. Members composing same.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, “An Act to afford aid, by way of loan, to the Gananoque and Wiltsie Navigation Company, and to amend the Act of Incorporation of the said Company.” Gananoque and Wiltsie Navigation Company's Loan bill, committed.

The Honorable Mr. Stewart took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said bill into consideration, had made some progress therein, and asked leave to sit again on Monday next. Reported, and leave asked to sit again.

Ordered, that the report be received, and leave granted accordingly. Leave granted.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, “An Act to establish two additional Markets in the City of Toronto.” Toronto additional Markets bill, committed.

The Honorable Mr. James Kerby took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House. Reported.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time to-morrow. Adopted.

The Honorable Messieurs Baldwin and Macaulay enter. Members enter.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill to amend the Law relative to the admission of Attornies to practise in this Province. English and other Attornies admission bill, committed.

The Honorable Mr. Hamilton took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said bill into consideration, had made some progress therein, and asked leave to sit again to-morrow. Reported, and leave asked to sit again.

Ordered, that the report be received, and leave granted granted accordingly. Leave granted.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, “An Act granting a certain sum of money to the Trustees of the Grantham Academy, for the purpose of liquidating the debts of that Institution.” Grantham Academy Grant bill, re-committed.

The Honorable Mr. James Kerby took the Chair.

After some time the House resumed.

The Honorable Mr. Crookshank enters. House resumes.

Pursuant to the order of the day, the Honorable Mr. Crookshank from the Committee of the whole upon the Resolutions of the Assembly, on the subject of a Despatch received from the Secretary of State for the Colonies relating to the local Currency, presented their Report; and it was, Report of the Committee of the whole upon the Resolutions of the Assembly, relating to the local currency, presented;

Ordered, that the said resolutions be referred to a Select Committee, to report thereon by amendment; and, And the resolutions referred to a Select Committee.

Thursday, 26th January, 1837.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

Members composing same.	Ordered, that Honorable Messieurs Hamilton and Crooks, do compose the same for that purpose.
Home District New Gaol bill, read second time.	Pursuant to the order of the day, the bill to authorise the erection of a new Gaol, for the Home District, was read a second time; and it was, Ordered, that the House be put into a Committee of the whole to-morrow, to take the same into consideration.
Resolutions of the Assembly, on the subject of the Post Office Department, committed.	Pursuant to the order of the day, the House was put into a Committee of the whole, upon the Resolutions of the Assembly, on the subject of the Post Office Department. The Honorable Mr. Baldwin took the Chair. After some time the House resumed.
Reported; and,	The Chairman reported that the Committee had taken the said Resolutions into consideration, and recommended that they be referred to a Select Committee, with power to send for persons and papers, and to report thereon.
Referred to a Select Committee.	Ordered, that the report be received; and, Ordered, that the said Resolutions be referred to a Select Committee, with power to send for persons and papers, and to report thereon; and,
Members composing same.	Ordered, that the Honorable Messieurs Hamilton, Morris and Macaulay, do compose the same for that purpose.
Petition of James Boulton, read;	Pursuant to the order of the day, the petition of James Boulton, on the subject of the Welland Canal, was read; and it was, Ordered, that the same be referred to the Select Committee upon the bill entitled, "An Act to provide for the permanent completion of the Welland Canal," and for other purposes therein mentioned.
And referred to the Select Committee upon Welland Canal completion bill.	The Honorable Mr. Morris brought up the petition of Matthew Lecch, and others, Members of the Scotch Church, in Lanark; and also the petition of the Honorable James Kerby, on behalf of the inhabitants of the township of Bertie; which were laid on the table.
Petitions of the Members of the Scotch Church in Lanark; The Hon. Jas. Kerby;	The Honorable Mr. Hamilton brought up the petition of William Ramsay, and others, Members of the Scotch Church, in Thorold; which was laid on the table.
Members of the Scotch Church in Thorold;	The Honorable Mr. Burnham brought up the petition of James Calcutt, and others, inhabitants of Cobourg; also the petition of John Helm, and others, Stockholders in the Cobourg Harbour Company; also the petition of Ebenezer Perry, of Cobourg, in the District of Newcastle; and also the petition of George Boswell, of Cobourg, in the District of Newcastle; which were laid on the table.
James Calcutt, and others; John Helm, and others; Ebenezer Perry; George Boswell;	The Honorable the Speaker brought up the petition of James Calcutt, of Cobourg, in the District of Newcastle; which was laid on the table.
James Calcutt; and,	The Honorable Mr. Crooks brought up the petition of Peter M. Ball, of Niagara; which was laid on the table.
Peter M. Ball, brought up.	The Honorable Mr. Markland enters.
A Member enters.	The Honorable Mr. Baldwin, from the Select Committee to whom was referred the bill entitled, "An Act to authorise the erection of the County of Hastings into a separate District," presented their Report.
Report of the Select Committee upon Hastings division bill, presented.	Ordered, that it be received; and, The same was then read by the Clerk, as follows: Your Committee to whom was referred the bill sent up from the House of Assembly, entitled, "An Act to erect the County of Hastings into a separate District," be leave to Report:
Read.	That they have examined the said bill, and find that it differs in no important matter from the bill amended by your Honorable House last Session, except that the clause suspending its operation "until provision be made for increasing the number of Judges in His Majesty's Court of King's Bench, and for defraying certain contingent charges of the circuits," is omitted.
The Report.	Your Committee delayed reporting on this bill while there appeared a doubt of a measure affecting the first part of that clause passing the other branch of the Legislature; and being informed that that doubt no longer exists, and they find, by their petition, the inhabitants ready to submit to an additional tax for the more speedy administration of Justice, beg leave to recommend the bill for the adoption of Your Honorable House. All which is respectfully submitted, <i>Committee Room of the Legislative Council,</i> Twenty-fifth January, 1837.

(Signed) A. BALDWIN,  
CHAIRMAN.

Friday, 27th January, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

On motion made and seconded; it was,

Ordered, that the last-mentioned bill, and the report of the Select Committee thereon, be referred to a Committee of the whole House, to-morrow.

The Honorable Mr. Markland brought up the petition of Robert Stanton; which was laid on the table. Petition of Robert Stanton, brought up.

The Honorable Messieurs Allan and Elmsley, enter. Members enter.

The Honorable Mr. Crooks brought up the petition of Gardner Warren, of the Town of Hamilton, in the District of Gore; which was laid on the table. Petition of G. Warren, brought up.

On motion made and seconded, the House adjourns. House adjourns.

FRIDAY, 27th JANUARY, 1837.

The House met pursuant to adjournment. House meets.

PRESENT :

*The Honorable* JOHN B. ROBINSON, SPEAKER.

*The Honorable Messrs.* BALDWIN,

*The Honorable Messrs.* CROOKSHANK,

" " HAMILTON,

" " MARKLAND,

" " JAMES KERBY,

" " ALLAN,

" " CROOKS,

" " BURNHAM,

" " STEWART,

" " ELMSLEY,

" " MORRIS.

Members present.

Prayers were read.

The Minutes of yesterday were read.

Pursuant to the order of the day, the bill entitled, "An Act to establish two additional Markets in the City of Toronto," was read a third time, and passed. Toronto additional Markets bill, read third time and passed.

Whereupon the Speaker signed the same; and it was,

Same signed;

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill without any amendment. And the Assembly acquainted thereof.

The Honorable and Venerable the Archdeacon of York, and the Honorable Messieurs Wells and Macaulay, enter. Members enter.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to amend the Charter of the University of King's College," and the report of the Select Committee thereon. King's College Charter amendment bill, re-committed.

The Honorable Mr. Hamilton took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and recommended the same without any amendment to the adoption of the House. Reported.

Ordered, that the report be received; and,

Adopted.

Ordered, that the said bill be read a third time on Monday next.

Deputations from the Commons House of Assembly brought up a bill entitled, "An Act to compel Vessels to carry a light during the night, and to make sundry provisions to regulate the Navigation of the Waters of this Province;" also a bill entitled, "An Act granting to His Majesty a sum of money, to be raised by Debenture, for the improvement of the Navigation of the River Trent"; also a bill entitled, "An Act to define the limits of the Town of Picton, in the District of Prince Edward, and to establish a Police therein"; and also a bill entitled, "An Act to establish a Bank at Sandwich, in the Western District," to which they requested the concurrence of this House, and then withdrew. Vessels Navigation regulation bill;

Trent River navigation grant bill;

Picton Police establishment bill; and Sandwich Bank bill, brought up from the Assembly.

The said bills were then severally read; and it was,

Read first time.

Ordered, that they be read a second time on Monday next.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill to amend the Law relative to the admission of Attornies to practise in this Province. English and other Attornies admission bill, re-committed.

The Honorable Mr. Hamilton took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said bill again into consideration, had made some further progress therein, and asked leave to sit again on Monday next. Reported, and leave asked to sit again.

Ordered, that the report be received, and leave granted accordingly. Leave granted.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill to authorise the erection of a new Gaol, for the Home District. Home District new Gaol bill, committed.

The Honorable Mr. Elmsley took the Chair.

Friday, 27th January, 1837.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

After some time the House resumed.

Reported, and leave  
asked to sit again.

The Chairman reported that the Committee had taken the said bill into consideration, had made some progress therein, and asked leave to sit again on Monday next.

Leave granted.

Ordered, that the report be received, and leave granted accordingly.

Hastings division bill,  
re-committed.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to authorise the erection of the County of Hastings into a separate District," and the report thereon.

The Honorable Mr. Macaulay took the Chair.

After some time the House resumed.

Reported; and,

The Chairman reported that the Committee had taken the said bill again into consideration, had made some further progress therein, and recommended that it be referred to a Select Committee, with instructions to amend the bill by including the townships of Murray and Seymour in the County of Hastings, and to report thereon.

Ordered, that the report be received; and,

Referred to a Select  
Committee, with  
special instructions.

Ordered, that the said bill be referred to a Select Committee, with instructions to amend the bill by including the townships of Murray and Seymour in the County of Hastings, and to report thereon; and,

Members composing  
same.

Ordered, that the Honorable Messieurs Crooks and Macaulay, do compose the same for that purpose.

Report of the Select  
Committee upon  
Brockville Insurance  
and loan bill, pre-  
sented.

The Honorable Mr. James Kerby, from the Select Committee to whom was referred the bill entitled, "An Act to establish a Life Insurance and Loan Company at Brockville, in the District of Johnstown," presented their report.

Ordered, that it be received; and,

Read.

The same was then read by the Clerk, as follows:

The report.

Press 1, line 1—After "Company," insert "at Brockville"

" " " 7—After "Province," insert "and will prove highly advantageous to the interests of those persons for whom monies are authorised to be held in trust."

" " " 16—After "Jones," insert "Knight"

" " " 20—Expunge "Billa Flint," and insert "George Crawford"

" " " 21—Expunge "and their successors," and insert "being Stockholders in the Company hereby incorporated, and all such other persons as shall become Stockholders, therein shall"

" 2, " 6—Expunge "as is," and insert "they are"

" " " 17—After "or," insert "as"

" " " 23—After "Exchange," insert "eightly, to carry on the business of Banking under certain restrictions hereinafter mentioned"

" 3, " 6—Expunge "Courts," and insert "Court"

" 4, " 18—Expunge "said"

" " " 18—After "Trustees," insert "hereinafter mentioned"

" " " 23—After "manner," expunge to "following"

" " " 24—Before "interest," insert "principal or"

" " " 24—After "same," insert "on the day when the same shall become payable"

" 5, " 4—After "payable," expunge to "and" (the last word in line 8,) and insert "provided the debt and interest, with the charge of such advertisement, shall not have been paid or tendered"

" " " 22—After "be," expunge the remainder of the clause, and insert "paid over to the mortgagor, his heirs or assigns: Provided always, nevertheless, that the Company shall in no case become the purchaser of any estate to be sold as aforesaid, where a sufficient sum shall be bid by any other person or persons at such sale to pay the debt due to the said Company, with all lawful charges thereon; and that wherever the estate shall be evidently of greater value than double the amount of the debt secured thereon, the whole of such estate shall not necessarily be sold, unless the owner thereof, or person interested therein, shall signify his assent to the same, but at the sale such portion only shall be disposed of as may be found necessary for paying the debt and interest, and the charges attending the same; and that in all cases when the Company shall become the purchasers, they shall, within twelve months, offer the estate so purchased by them for sale a second time by public auction, giving three

Friday, 27th January, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

months' notice thereof in the same manner as in respect to the first sale; and at any time before such sale, or at such sale, the mortgagor, his heirs or assigns, may redeem such estate, and shall be entitled to a reconveyance thereof, on payment of the debt and interest, and all charges justly chargeable by the said Company; but in case the estate shall not be so redeemed, then it shall be absolutely disposed of at such sale to the highest bidder, and any surplus which it may produce shall be paid to the mortgagor, his heirs or assigns.— Provided always, that the equity of redemption of any such estate shall by virtue of such sale be, and be held to be, absolutely extinguished; Provided also, that it shall be lawful for the Trustees of the said Company, by any by-law or by-laws to be by them made, to alter the provisions in this clause contained, or any of them, or to substitute others in lieu thereof, so that such by-law or by-laws shall first be approved of by the Court of King's Bench in this Province.

“ And be it further enacted by the authority aforesaid, That unless the mortgagor, his heirs or assigns, shall signify a desire to the contrary, any real estate to be sold by auction under the provisions of this Act, shall be exposed to sale in that District in which the estate shall be situated, and at the time in which the Court of General Quarter Sessions is holden, on some day during the sitting of such Court.”

Press 6, line 5—After “President,” insert “and a Vice President”

“ “ “ 11—After “for,” expunge the remainder of the clause, and insert “good cause shown to the Court by or on behalf of any person interested”

“ “ “ 21—Before “one,” insert “the Upper Canada Gazette, and”

“ “ “ 23—After “persons,” insert “Provided they shall respectively become Stockholders as hereinafter mentioned”

“ “ “ 24—After “Jones,” insert “Knight”

“ 7, “ 4—Expunge “Billa Flint,” and insert “George Crawford”

“ “ “ 4—Add to the twelfth clause, “Provided always, that if all the persons above named, shall not subscribe stock in the said Company sufficient to entitle them to be Trustees, then the remaining number shall be elected by the Trustees who shall be so qualified from among those holding sufficient stock according to this Act.”

“ “ “ 6—After “after,” insert “the passing of”—after “Act,” expunge “shall be in.”

“ “ “ 7—Expunge “force”

“ 8, “ 11—After “Stockholder,” insert “together with all previous payments made thereon”

“ “ “ 18—After “within” expunge “one month,” and insert “two months”

“ “ “ 19—After “Trustee,” insert “not becoming a Stockholder within that period, or”—after “ceasing,” insert “afterwards”

“ “ “ 23—After “as,” expunge the remainder of the clause, and insert “one hundred thousand pounds of the capital stock shall have been subscribed, and fifteen per centum thereon paid in, the Trustees shall proceed to elect a President, and he, together with at least three of the Trustees, shall examine and count the money so paid into the vaults of the said Company, whose duty it shall be to make oath that the said capital has been *bonâ fide* paid in by the said Stockholders of the said Company, under the regulations of this Charter, and that it is intended to be, and was received as a part of the said Capital Stock; whereupon it shall be the duty of the said Company to publish such oath of the President and three Trustees in the Upper Canada Gazette, together with a notice that the Company is prepared to commence the transactions of business.”

“ 9, “ 19—After “estate,” add to the clause “to the amount of one thousand pounds required to be held by him as Trustee”

“ 10, “ 6—After “proper,” add to the clause “but the said Company shall not hold stock in any private Incorporated Company, beyond five thousand pounds”

Friday, 27th January, 1837.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT. 7th WILLIAM IV.

Press 10, line 10—After “direct,” expunge the remainder of the clause, and insert “and the Court of King’s Bench if they shall deem it proper, may refer such statement to some person to be specially named by them as a Commissioner, with directions to make a full and thorough investigation into the affairs and management of the said Company, and to report to the Court his opinion in relation to the ability and integrity with which its affairs are conducted; the prudence and safety of its investments: the security afforded to those by whom its engagements are held, and the advantage derived by the public from its operations; and that the expenses of every such investigation shall be defrayed by the said Company, and copies of the report of such special Commissioner, and of the statement of the Trustees on which it is founded, shall be transmitted by the Commissioner to the Lieutenant Governor of this Province, to be laid before each House of the Legislature at the next Session.”

“ 11—Expunge the twenty-second clause, and insert “22. And be it further enacted by the authority aforesaid, That whenever it may be deemed expedient, a Joint Committee of the Legislative Council and House of Assembly may, at any time during the Session of the Legislature, examine into the condition and affairs of the said Company, and may require the production before them of the books and minutes of the proceedings of the Board of Trustees, and may ascertain the amount of gold and silver—the amount of deposits made with the Company—the balances due to and from the said Company—and may enquire into all other their affairs and transactions, and report thereon for the information of the Legislature.

“ “ “ 12—After “Notes,” insert payable on demand, and not of a denomination less than five Shillings”

“ “ “ 16—Expunge “in,” and insert “on”

“ “ “ 18—After “annum,” expunge the remainder of the clause, and insert “and if any Bills or Notes that may be issued by the said Company in the course of their banking operations, shall not be redeemed in specie when duly demanded, such Bills or Notes shall bear an interest thereon at the rate of twelve per centum per annum, for such time as the said Bills or Notes remain unpaid; to be reckoned from the day of presentment or demand, of which day the person tendering such Bill or Note may demand to have a memorandum endorsed and signed by the President, or some other proper officer of the said Company.”

On motion made and seconded; it was,

Ordered, that the last mentioned bill, and the report of the Select Committee thereon, be referred to a Committee of the whole House on Monday next.

Report of the Select Committee upon the Resolutions of the Assembly, relating to the local Currency, presented.

The Honorable Mr. Crooks, from the Select Committee to whom was referred the Resolutions of the Commons House of Assembly, on the subject of a certain Despatch from the Secretary of State for the Colonies relating to the local Currency, presented their Report;

Ordered, that it be received; and,

Read.

The same was then read by the Clerk, as follows:

The Report.

The Select Committee of the Legislative Council, to whom was referred the Resolutions of the Commons House of Assembly of this Province, on the subject of a certain Despatch of the Right Honorable Lord Glenelg, His Majesty’s Principal Secretary of State for the Colonies, in respect to the Currency and Circulating Medium of this Province, communicated to this House on the nineteenth day of December last, by Message from His Excellency, beg leave to submit the following amendments, viz:

Page 1, line 4—Expunge “this House,” and insert “the Legislative Council and House of Assembly”

Line 21—After “and,” expunge to “for” in page 2, line 7, and insert “other measures for the same purpose are in progress”

Page 2, line 8—After “bodies,” expunge to “injurious” in line 11, and insert “which if they become laws cannot have an”

“ “ “ 19—Expunge “have sometimes,” and insert “has”

“ “ “ 21—Expunge “this House,” and insert “the Legislature”

Monday, 30th January, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

Press 3; line 3—Expunge from “although” to “desire,” and insert “the Legislative Council and House of Assembly do not”

“ “ “ 9—Expunge “other branches,” and insert “two Houses”

“ “ “ 11—Expunge “it,” and insert “they”

“ “ “ 12—Expunge “deprecate,” and insert “remonstrate against”

All which is respectfully submitted,

(Signed) JOHN HAMILTON.

*Legislative Council, Committee Room,*

Twenty-seventh January, 1837.

On motion made and seconded; it was,

Ordered, that the last-mentioned report be referred to a Committee of the whole House, on Monday next.

The Honorable Mr. Crooks brought up the petition of Joseph S. Ward, and others, inhabitants of the County of Huron; which was laid on the table. Petition of Joseph S. Ward, and others, brought up.

The Honorable Mr. Crooks, brought in a bill affording relief to persons in possession of Lands in the eighth concession of the township of Saltfleet, in certain cases. Saltfleet and Binbrook Concession Line bill, brought in.

The said bill was then read; and it was, Read first time.

Ordered, that the same be read a second time on Monday next.

The Honorable Mr. Macaulay, brought up the petition of John Burwell, of Port Burwell, in the District of London; which was laid on the table. Petition of John Burwell, brought up.

On motion made and seconded, the House adjourned until Monday next, at the hour of one of the clock, P.M. House adjourns.

MONDAY, 30th JANUARY, 1837.

The House met pursuant to adjournment. House meets.

PRESENT :

*The Honorable* JOHN B. ROBINSON, SPEAKER.

*The Honorable Messrs.* CROOKSHANK,

“ “ ALLAN,

“ “ McDONELL,

“ “ BURNHAM,

“ “ BALDWIN,

*The Honorable Messrs.* HAMILTON,

“ “ JAMES KERBY,

“ “ CROOKS,

“ “ STEWART,

“ “ MORRIS.

Members present.

Prayers were read.

The Minutes of Friday last were read.

Pursuant to the order of the day, the bill entitled, “An Act to amend the Charter of the University of King’s College,” was read a third time, and passed:

Whereupon the Speaker signed the same; and it was, King’s College Charter amendment bill, read third time and passed.

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill without any amendment. Same signed; And the Assembly acquainted thereof.

A Deputation from the Commons House of Assembly, brought up a bill entitled, “An Act to enable the proprietors or shareholders of a Company, called the Bank of British North America, to sue and be sued in the name of any one of the local Directors or Manager, for the time being, of the said Company in this Province, and for other purposes therein mentioned,” to which they requested the concurrence of this House, and then withdrew. British North America Bank bill, brought up from the Assembly.

The said bill was then read; and it was, Read first time.

Ordered, that the same be read a second time to-morrow.

On motion made and seconded; it was,

Ordered, that the Honorable Messieurs Markland and Dunn, have leave to attend a Select Committee of the Commons House of Assembly, as desired by that House in their Message received on Wednesday last, if they think fit; and, Leave given to the Hon. Messieurs Markland and Dunn to attend a Select Committee of the Assembly.

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Honorable Messieurs Markland and Dunn, have leave to attend a Select Committee of the Commons House of Assembly, as desired by that House, in their Message received on Wednesday last, if they think fit. And the Assembly acquainted thereof.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, “An Act to incorporate sundry persons under the style and title of Erie and Ontario Bank bill, re-committed.



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the President, Directors and Company, of the Erie and Ontario Bank of the Niagara District," and the report of the Select Committee thereon.

The Honorable Mr. Baldwin took the Chair.

House resumes.

After some time the House resumed.

Members enter.

The Honorable Messieurs Markland, Elmsley and Macaulay, enter.

Niagara District Bank bill, brought up from the Assembly.

A Deputation from the Commons House of Assembly brought up a bill entitled, "An Act to incorporate sundry persons under the style and title of the Niagara District Bank"; to which they requested the concurrence of this House, and then withdrew.

Read first time.

The said bill was then read; and it was,

Ordered, that the same be read a second time to-morrow.

Louth Harbour Company's Loan bill, re-committed.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act granting a loan to the Louth Harbour Company, in the Niagara District."

The Honorable Mr. Crooks took the Chair.

After some time the House resumed.

Reported.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Adopted.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time to-morrow.

Gananoque and Wiltsie Navigation Company's Loan bill, re-committed.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to afford aid, by way of loan, to the Gananoque and Wiltsie Navigation Company, and to amend the Act of Incorporation of the said Company."

The Honorable Mr. Stewart took the Chair.

After some time the House resumed.

Reported.

The Chairman reported that the Committee had taken the said bill again into consideration, had made some further progress therein, and recommended that it be referred to a Select Committee, to report thereon.

A Member enters.

The Honorable Mr. Jones enters.

Ordered, that the report be received; and,

Bill referred to a Select Committee  
Members composing same.

Ordered, that the said bill be referred to a Select Committee, to report thereon; and,

Ordered, that the Honorable Messieurs Crookshank, Markland and Jones, do compose the same for that purpose.

English and other Attornies admission bill, re-committed.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill to amend the Law relative to the admission of Attornies, to practise in this Province.

The Honorable Mr. Hamilton took the Chair.

After some time the House resumed.

Reported, and leave asked to sit again.

The Chairman reported that the Committee had taken the said bill again into consideration, had made some further progress therein, and asked leave to sit again on Wednesday next.

Leave granted.

Ordered, that the report be received, and leave granted accordingly.

Home District new Gaol bill, re-committed.

Pursuant to the order of the day, the House was again put into a Committee of whole, upon the bill to authorise the crection of a new Gaol, for the Home District.

The Honorable Mr. Elmsley took the Chair.

After some time the House resumed.

Reported.

The Chairman reported that the Committee had gone through the said bill, and recommended the same to the adoption of the House.

Adopted.

Ordered, that the report be received; and,

Ordered, that the said bill be engrossed, and the same read a third time to-morrow.

Brockville Insurance and Loan bill, re-committed.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to establish a Life Insurance and Loan Company at Brockville, in the District of Johnstown," and the report of the Select Committee thereon.

The Honorable Mr. Baldwin took the Chair.

After some time the House resumed.

Amendments reported.

The Chairman reported that the Committee had gone through the said bill, and had made certain amendments thereto, which they recommended to the adoption of the House.

A Member enters.

The Honorable and Venerable the Archdeacon of York enters.

Ordered, that the report be received; and,

Read first time.

The said amendments were then read by the Clerk, as follows:

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In the title, line 1—After “Act,” expunge the remainder, and insert “to incorporate sundry persons under the style and title of the President and Directors of the Upper Canada Life Insurance and Trust Company.” The amendments.

In the bill, Press 1, line 1—After “Company,” insert “at Brockville”

Press 1, line 7—After “Province,” insert “and will prove highly advantageous to the interests of those persons for whom monies are authorised to be held in trust.”

“ “ “ 16—After “Jones,” insert “Knight”

“ “ “ 20—Expunge “Billa Flint,” and insert “George Crawford”

“ “ “ 21—Expunge “and their successors,” and insert “being Stockholders in the Company hereby incorporated, and all such other persons as shall become Stockholders therein, shall”

“ 2, “ 6—Expunge “as is,” and insert “they are”

“ “ “ 17—After “or,” insert “as”

“ “ “ 23—After “Exchange,” insert “eightly, to carry on the business of Banking under certain restrictions hereinafter mentioned”

“ 3, “ 6—Expunge “Courts,” and insert “Court”

“ 4, “ 18—Expunge “said”

“ “ “ 18—After “Trustees,” insert “hereinafter mentioned”

“ “ “ 23—After “manner,” expunge to “following”

“ “ “ 24—Before “interest,” insert “principal or”

“ “ “ 24—After “same,” insert “on the day when the same shall become payable”

“ 5, “ 4—After “payable,” expunge to “and” (the last word in line 5,) and insert “provided the debt and interest, with the charge of such advertisement, shall not have been paid or tendered”

“ “ “ 22—After “be,” expunge the remainder of the clause, and insert “paid over to the mortgagor, his heirs or assigns: Provided always, nevertheless, that the Company shall in no case become the purchaser of any estate to be sold as aforesaid, where a sufficient sum shall be bid by any other person or persons at such sale to pay the debt due to the said Company, with all lawful charges thereon; and that wherever the estate shall be evidently of greater value than double the amount of the debt secured thereon, the whole of such estate shall not necessarily be sold, unless the owner thereof, or person interested therein, shall signify his assent to the same, but at the sale such portion only shall be disposed of as may be found necessary for paying the debt and interest, and the charges attending the same; and that in all cases when the Company shall become the purchasers, they shall, within twelve months, offer the estate so purchased by them for sale a second time by public auction, giving three months’ notice thereof in the same manner as in respect to the first sale; and at any time before such sale, or at such sale, the mortgagor, his heirs or assigns, may redeem such estate, and shall be entitled to a reconveyance thereof, on payment of the debt and interest, and all charges justly chargeable by the said Company; but in case the estate shall not be so redeemed, then it shall be absolutely disposed of at such sale to the highest bidder, and any surplus which it may produce shall be paid to the mortgagor, his heirs or assigns.— Provided always, that the equity of redemption of any such estate shall by virtue of such sale be, and be held to be, absolutely extinguished; Provided also, that it shall be lawful for the Trustees of the said Company, by any by-law or by-laws to be by them made, to alter the provisions in this clause contained, or any of them, or to substitute others in lieu thereof, so that such by-law or by-laws shall first be approved of by the Court of King’s Bench in this Province.

“And be if further enacted by the authority aforesaid, That unless the mortgagor, his heirs or assigns, shall signify a desire to the contrary, any real estate to be sold by auction under the provisions of this Act, shall be exposed to sale in that District in which the estate shall be situated; and at the time in which the Court of General Quarter Sessions is holden, on some day during the sitting of such Court.”

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- Press 6, line 5—After “President,” insert “and a Vice President”
- “ “ “ 11—After “for,” expunge the remainder of the clause, and insert “good cause shown to the Court by or on behalf of any person interested”
- “ “ “ 21—Before “one,” insert “the Upper Canada Gazette, and”
- “ “ “ 23—After “persons,” insert “Provided they shall respectively become Stockholders as hereinafter mentioned”
- “ “ “ 24—After “Jones,” insert “Knight”
- “ 7, “ 4—Expunge “Billa Flint,” and insert “George Crawford”
- “ “ “ 4—Add to the twelfth clause, “Provided always, that if all the persons above named, shall not subscribe stock in the said Company sufficient to entitle them to be Trustees, then the remaining number shall be elected by the Trustees who shall be so qualified from among those holding sufficient stock according to this Act.”
- “ “ “ 6—After “after,” insert “the passing of”—after “Act,” expunge “shall be in.”
- “ “ “ 7—Expunge “force”
- “ 8, “ 11—After “Stockholder,” insert “together with all previous payments made thereon”
- “ “ “ 18—After “within” expunge “one month,” and insert “two months”
- “ “ “ 19—After “Trustee,” insert “not becoming a Stockholder within that period, or”—after “ceasing,” insert “afterwards”
- “ “ “ 23—After “as,” expunge the remainder of the clause, and insert “fifty thousand pounds of the capital stock shall have been subscribed, and fifteen per centum thereon paid in, the Trustees shall proceed to elect a President, and he, together with at least three of the Trustees, shall examine and count the money so paid into the vaults of the said Company, whose duty it shall be to make oath that the said capital has been *bonâ fide* paid in by the said Stockholders of the said Company, under the regulations of this Charter, and that it is intended to be, and was received as a part of the said Capital Stock; whereupon it shall be the duty of the said Company to publish such oath of the President and three Trustees in the Upper Canada Gazette, together with a notice that the Company is prepared to commence the transactions of business.”
- “ 9, “ 19—After “estate,” add to the clause “to the amount of one thousand pounds required to be held by him as Trustee”
- “ 10, “ 6—After “proper,” add to the clause “but the said Company shall not hold stock in any private Incorporated Company, beyond five thousand pounds”
- “ “ “ 10—After “direct,” expunge the remainder of the clause, and insert “and the Court of King’s Bench if they shall deem it proper, may refer such statement to some person to be specially named by them as a Commissioner, with directions to make a full and thorough investigation into the affairs and management of the said Company, and to report to the Court his opinion in relation to the ability and integrity with which its affairs are conducted; the prudence and safety of its investments; the security afforded to those by whom its engagements are held, and the advantage derived by the public from its operations; and that the expenses of every such investigation shall be defrayed by the said Company, and copies of the report of such special Commissioner, and of the statement of the Trustees on which it is founded, shall be transmitted by the Commissioner to the Lieutenant Governor of this Province, to be laid before each House of the Legislature at the next Session.”
- “ 11—Expunge the twenty-second clause, and insert “22. And be it further enacted by the authority aforesaid, That whenever it may be deemed expedient, a Joint Committee of the Legislative Council and House of Assembly may, at any time during the Session of the Legislature, examine into the condition and affairs of the said Company, and may require the production before them of the books and minutes of the proceedings of the Board of Trustees, and may ascertain the amount of gold and silver—the amount of deposits made with the Company—the balances due to and from the said Company—and may

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enquire into all other their affairs and transactions, and report thereon for the information of the Legislature.

Press 11, line 12—After “Notes,” insert payable on demand, and not of a denomination less than five Shillings”

“ “ “ 16—Expunge “in,” and insert “on”

“ “ “ 18—After “annum,” expunge the remainder of the clause, and insert “and if any Bills or Notes that may be issued by the said Company in the course of their banking operations, shall not be redeemed in specie when duly demanded, such Bills or Notes shall bear an interest thereon at the rate of twelve per centum per annum, for such time as the said Bills or Notes remain unpaid; to be reckoned from the day of presentment or demand, of which day the person tendering such Bill or Note may demand to have a memorandum endorsed and signed by the President, or some other proper officer of the said Company.”

The said amendments being read a second time, and the question of concurrence put on each, they were severally agreed to by the House; and it was, Read second time, and adopted.

Ordered, that they be engrossed, and the said bill as amended, read a third time to-morrow.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the report of the Select Committee on the subject of certain Resolutions of the Commons House of Assembly, relating to the local Currency. Report on the resolutions of the Assembly relating to the currency, committed.

The Honorable Mr. Crooks took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said Resolutions, and had made some amendments thereto, which they recommended to the adoption of the House. Amendments reported.

Ordered, that the report be received; and,

The said amendments were then read by the Clerk, as follows: Read first time.

Page 1, line 4—Expunge “this House,” and insert “the Legislative Council and House of Assembly” The amendments.

“ “ “ 21—After “and,” expunge to “for,” in page 2, line 7, and insert “other measures for the same purpose are in progress”

“ 2, “ 8—After “bodies,” expunge to “injurious,” in line 11, and insert “which, if they become laws, cannot have an”

“ “ “ 19—Expunge “have sometimes,” and insert “in one important instance has”

“ “ “ 21—Expunge “this House is,” and insert “the Legislative Council and House of Assembly are”

“ 3, “ 3—Expunge from “although” to “desire,” and insert “the Legislative Council and House of Assembly do not”

“ “ “ 9—Expunge “other branches,” and insert “two Houses”

“ “ “ 11—Expunge “it,” and insert “they”

“ “ “ 12—Expunge “deprecate,” and insert “express their hope that”

“ “ “ 16—After “Colonies,” insert “will not be unnecessarily resorted to”

The said amendments being read a second time, and the question of concurrence put on each, they were severally agreed to by the House; and it was, Read second time, and adopted.

Ordered, that they be engrossed and the same read a third time to-morrow.

Pursuant to the order of the day, the bill entitled, “An Act to compel Vessels to carry a light during the night, and to make sundry provisions to regulate the Navigation of the waters of this Province,” was read a second time; and it was, Vessels Navigation regulation bill, read second time;

Ordered, that the same be referred to a Select Committee, to report thereon by amendment or otherwise; and, And referred to a Select Committee.

Ordered, that Honorable Messieurs Markland, Elmsley and Hamilton, do compose the same for that purpose. Members composing same.

Pursuant to the order of the day, the bill entitled, “An Act granting to His Majesty a sum of money, to be raised by Debenture, for the improvement of the Navigation of the River Trent,” was read a second time; and it was, Trent River navigation grant bill, read second time;

Ordered, that the same be referred to a Select Committee, to report thereon by amendment or otherwise; and, And referred to a Select Committee.

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Members composing same.

Ordered, that the Honorable Messieurs Stewart, Crooks and Macaulay, do compose the same for that purpose.

Pictou Police establishment bill;  
Sandwich Bank bill; and,  
Saltfleet and Binbrook Concession Line bill, read second time.

Pursuant to the order of the day, the bill entitled, "An Act to define the limits of the Town of Pictou, in the District of Prince Edward, and to establish a Police therein"; also the bill entitled, "An Act to establish a Bank at Sandwich, in the Western District"; and also the bill for affording relief to persons in possession of Lands in the eighth concession of the township of Saltfleet, in certain cases, were severally read a second time; and it was,

Ordered, that the House be put into Committees of the whole to-morrow, to take the same into consideration.

Petitions of the Members of the Scotch Church in Lanark, and Thorold;

Pursuant to the order of the day, the petitions of the Members of the Scotch Church, in Lanark and Thorold, respectively praying against the institution of Rectories in this Province, and for a participation in the proceeds of the sale of the Clergy Reserves; also the petition of the Honorable James Kerby, on behalf of the inhabitants of the township of Bertie, praying for an Act appointing Commissioners to establish the boundary lines thereof; also the petitions of James Calcutt, and others, inhabitants of Cobourg; John Helm, and others, Stockholders in the Cobourg Harbour Company; Ebenezer Perry, of Cobourg, in the District of Newcastle; George Boswell, of Cobourg, in the District of Newcastle; and James Calcutt, of Cobourg, in the District of Newcastle, respectively praying that the Legislature will not grant to the Cobourg Harbour Company, certain privileges desired by them; also the petition of Peter M. Ball, of Niagara, praying to be recommended to His Majesty's Government for Half-pay; also the petition of Robert Stanton, on the subject of the Printing of the House; also the petition of Gardner Warren, of the Town of Hamilton, in the District of Gore, praying for an Act conferring upon him the rights and privileges of a British Subject; also the petition of Joseph S. Ward, and others, inhabitants of the County of Huron, praying for aid to the Huron Fishery Company, and that they may be incorporated by Legislative enactment; and also the petition of John Burwell, of Port Burwell, in the District of London, praying that certain abuses of the privileges conferred by the late Marriage Act may be remedied; were severally read.

Of the Hon. James Kerby;

Of James Calcutt, and others;

Of John Helm, and others;

Of Ebenezer Perry;

Of George Boswell;

Of James Calcutt;

Of Peter M. Ball,

Of Robert Stanton;

Of Gardner Warren;

Of Joseph S. Ward, and others; and,

Of John Burwell, read.

On motion made and seconded: it was,

Ordered, that the petition of Robert Stanton, on the subject of the Printing of the House, be referred to a Committee of the whole House on Wednesday next.

Petitions of Ebenezer Johnson; and

Of James Wallis, and others, brought up.

The Honorable Mr. Stewart brought up the petition of Ebenezer Johnson, of the City of Buffalo; and also the petition of James Wallis, and others, inhabitants of the townships in the rear part of the District of Newcastle; which were laid on the table.

House adjourns.

On motion made and seconded, the House adjourned.

TUESDAY, 31st JANUARY, 1837.

House meets.

The House met pursuant to adjournment.

PRESENT:

Members present.

*The Honorable* JOHN B. ROBINSON, SPEAKER.

*The Honorable Messrs.* CROOKSHANK,

" " JONES,

" " McDONELL,

" " BURNHAM,

" " BALDWIN,

*The Honorable Messrs.* HAMILTON,

" " JAMES KERBY,

" " CROOKS,

" " STEWART,

" " MORRIS.

Prayers were read.

The Minutes of yesterday were read.

To the bill passed yesterday, entitled, "An Act to amend the Charter of the University of King's College,"

DISSENTIENT,

Protest of the Hon. Mr. Morris, against the passing of King's College Charter amendment bill.

Because, the University of King's College is endowed with 225,000 acres of the School Lands, which were originally set apart by His Majesty's Government, at the request of the Legislative Council and House of Assembly—"first, for the establishment of Free Grammar Schools in those Districts in which they are called for, and in due process of time, for establishing other Seminaries of a larger and more comprehensive nature."

Because, the original intention of His Majesty, "first to establish Free Grammar Schools," has not yet been complied with, although the report of the Executive Council of 1st December, 1798, recommended the endowment of one school, in the first instance, at the Towns of Corn-

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wall, Kingston, Newark and Sandwich, with an appropriation of £3000 for the erection of the necessary buildings of each, with an allowance of £180 per annum for the payment of the master and under-master, and £30 a year for repairs.

Because, by the 9th resolution of the Executive Council, in 1798, it was determined that after the free Grammar Schools were built and endowed as above, that the *residue* of the lands should be kept for the future maintenance of a Seminary of a larger and more comprehensive nature.

Therefore, it is evident that the endowment of King's College, before even one Grammar School is erected, is a misapplication of the School Lands.

Because, the District Schools which were established in the year 1807, with a salary of £100 per annum, paid out of the Provincial Revenue to the master, were not, and ought not now to be considered as being synonymous with and superceding the necessity of the *Free* Grammar Schools, inasmuch as the Statute is wholly silent as to any School Land reservation, and makes no reference whatever thereto, and may at any time be repealed by the concurrent voice of the Legislature.

Because, the residue of the School Lands unappropriated, is in general of a bad quality, and will not, in my opinion, when sold be sufficient for the purposes intended. This depreciation of the value being in part attributable to exchanges which have taken place of good lands for bad, as shewn in the Surveyor General's statement, dated the 10th day of December, 1832, wherein it will be seen that 77,688 acres in the townships of Merlin and Proton, have been substituted for a like quantity of the original School Lands in Southwold, Westminster and Yarmouth, granted to individuals.

Because, the value of the endowment to the University of King's College is much too great, when compared with the wants of the Country, and will exceed the sum recommended by the Executive Council on the 7th January, 1819, as necessary for that object by £8,000 per annum.

Because, it would have been just to apply a portion of the funds arising from the sale of the School Lands granted for the endowment of King's College and Upper Canada College, to the support of free Grammar Schools in the several Districts, especially, as it was His Majesty's intention in 1797, that a University should not be instituted till the Grammar Schools were first provided for; and if afterwards it was found by the Legislature that King's College required further aid, a portion of the lands now remaining might have been applied to the benefit of that Institution, in lieu of the funds which I thus proposed to aid the Grammar Schools with.

Because, although it would appear to be the intention of the framers of the bill to appoint the Judges of the Court of King's Bench Visitors of the said College, in the room and stead of the Visitors named in the Charter, yet I am of opinion, that in the event of the Diocese of Quebec being divided, and a Bishop appointed to the Diocese in which the City of Toronto may be situate, that the said Judges will no longer be Visitors, as was evidently intended by the House of Assembly, but that the Bishop last mentioned will have a legal right to hold the situation under the provisions of the Charter.

(Signed) W. MORRIS.

To the bill passed yesterday, entitled, "An Act to amend the Charter of the University of King's College,"

**DISSENTIENT,**

1st.—Because, the present bill continues to King's College the possession of upwards of 200,000 acres, one-half of the lands appropriated by His late Majesty King George the Third, for the purpose of erecting and endowing free Grammar Schools in the several Districts of this Province, as well as for the erection and endowment of King's College, which added to a subsequent grant of upwards of 60,000 acres of land to Minor College, incorporated by the present bill with King's College, is in my opinion, out of all proportion to the benefits which may be anticipated from the establishment of that Seminary, even if the situation and quality of that portion reserved for free Grammar Schools were in every respect equal, (of which I have strong doubts) compared with the benefits which free Grammar Schools would confer upon the inhabitants of the Province at large, were they established in the different Districts thereof.

2nd.—Because, I consider the provision made by the Legislature of this Province for the support of District Schools, as an insufficient substitute for free Grammar Schools, as contem-

Protest of the Hon. Mr. Crooks, against the passing of King's College Charter amendment bill.

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plated by the munificent grant made by His said late Majesty ; inasmuch as Scholars are not admitted to them unless upon the payment of quarterly fees to the Teachers, (except in the instance of a limited number from the Common Schools) and the said provision for the support of District Schools may be repealed, whenever the Legislature may think proper to do so.

(Signed) JAMES CROOKS.

Louth Harbour  
Company's Loan bill,  
read third time  
and passed.

Same signed;

And the Assembly  
acquainted thereof.

A Member enters.

Home District new  
Gaol bill, read third  
time, and passed.

Title ordered.

Bill signed ;

And sent to the Assem-  
bly for concurrence.

Brockville Insurance  
and Loan bill, as  
amended, read third  
time and passed.

Amendments signed ;

And sent to the  
Assembly for concur-  
rence.

A Member enters.

Amendments to the  
resolutions of the As-  
sembly, on the cur-  
rency, discharged  
from the order of the  
day.

Pictou Police  
establishment bill,  
discharged from the  
order of the day ;

And referred to a  
Select Committee.

Members composing  
same.

Sandwich Bank bill,  
committed.

Amendments  
reported.

Read first time.

The amendments.

Read second time,  
and adopted.

Pursuant to the order of the day, the bill entitled, "An Act granting a loan to the Louth Harbour Company, in the Niagara District," was read a third time and passed :

Whereupon the Speaker signed the same; and it was,

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill without any amendment.

The Honorable Mr. Elmsley enters.

Pursuant to the order of the day, the bill to authorise the erection of a new Gaol, for the Home District, was read a third time and passed; and it was,

Ordered, that the title be, "An Act to authorise the Magistrates of the Home District, to erect a new Gaol within the said District":

Whereupon the Speaker signed the bill; and it was,

Ordered, that the same be sent to the Commons House of Assembly, by the Master in Chancery, for the concurrence of that House.

Pursuant to the order of the day, the bill entitled, "An Act to establish a Life Insurance and Loan Company at Brockville, in the District of Johnstown," was, as amended, read a third time; and,

The question being put, whether this bill as amended should pass, it was carried in the affirmative:

Whereupon the Speaker signed the amendments; and it was,

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill, with certain amendments, to which they desire the concurrence of the Commons House of Assembly.

The Honorable Mr. Allan enters.

The order of the day being read, for reading the amendments to the Resolutions of the Assembly relating to the local Currency a third time; it was,

Ordered to be discharged; and that the same do stand upon the order of the day for to-morrow.

The order of the day being read, for the House to be put into a Committee of the whole, upon the bill entitled, "An Act to define the limits of the Town of Pictou, in the District of Prince Edward, and to establish a Police therein"; it was,

Ordered to be discharged; and that the said bill be referred to a Select Committee, with power to send for persons and papers, and to report thereon by amendment or otherwise; and,

Ordered, that the Honorable Messieurs Baldwin and Crooks, do compose the same for that purpose.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to establish a Bank at Sandwich, in the Western District."

The Honorable Mr. Elmsley took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and had made some amendments thereto, which they recommended to the adoption of the House.

Ordered, that the report be received; and,

The said amendments were then read by the Clerk, as follows:

In the title—After "to," expunge the remainder of the title, and insert "incorporate sundry persons under the style and title of the President, Directors and Company, of the Western District Bank"

In the bill, press 5, line 7—After "ten," expunge "residing in the Western District," and insert "of them."

The said amendments being read a second time, and the question of concurrence put on each, they were severally agreed to by the House; and it was,

Ordered, that they be engrossed, and the said bill, as amended, read a third time to-morrow.

Wednesday, 1st February, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill for affording relief to persons in possession of Lands in the eighth concession of the township of Saltfleet, in certain cases.

The Honorable Mr. Stewart took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and had made some amendments thereto, and recommended the bill to the adoption of the House.

The Honorable Mr. Macaulay enters.

Ordered, that the report be received; and,

Ordered, that the said bill be engrossed, and the same read a third time to-morrow.

Pursuant to the order of the day, the bill entitled, "An Act to enable the proprietors or shareholders of a Company, called the Bank of British North America, to sue and be sued in the name of any one of the local Directors, or Manager, for the time being, of the said Company in this Province, and for other purposes therein mentioned"; and also the bill entitled, "An Act to incorporate sundry persons under the style and title of the Niagara District Bank," were severally read a second time; and it was,

Ordered, that the House be put into Committees of the whole to-morrow, to take the same into consideration.

On motion made and seconded; it was,

Ordered, that the bill entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Erie and Ontario Bank of the Niagara District," be again referred to a Committee of the whole House, and that the same do stand upon the order of the day for Thursday next; and,

Ordered, that the Members in town be summoned to attend in their places on that day.

On motion made and seconded, the House adjourned.

WEDNESDAY, 1st FEBRUARY, 1837.

The House met pursuant to adjournment.

PRESENT :

*The Honorable* JOHN B. ROBINSON, *SPEAKER.*

*The Honorable Messrs.* CROOKSHANK,

" " ALLAN,

" " JONES,

" " BALDWIN,

*The Honorable Messrs.* HAMILTON,

" " ADAMSON,

" " CROOKS,

" " STEWART,

" " MORRIS.

Prayers were read.

The Minutes of yesterday were read.

A Deputation from the Commons House of Assembly, brought up a bill entitled, "An Act erecting certain parts of the Counties of Halton and Simcoe into a new District, by the name of the District of Wellington," to which they requested the concurrence of this House, and then withdrew.

The said bill was then read; and it was,

Ordered, that the same be read a second time to-morrow.

Pursuant to the order of the day, the Resolutions of the Commons House of Assembly, as amended, on the subject of a certain Despatch relating to the local Currency, were read a third time; and,

The question being put, whether the said amendments should pass, it was carried in the affirmative; and it was,

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council have adopted the said Resolutions, with certain amendments, to which they desire the concurrence of the Commons House of Assembly.

The Honorable and Venerable the Archdeacon of York, and the Honorable Messieurs McDonell and Elmsley, enter.

A Deputation from the Commons House of Assembly, brought up a bill entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Port Darlington Harbour"; and also a bill entitled, "An Act to enable the Canada Company to erect a Harbour at Goderich, on Lake Huron," to which they requested the concurrence of this House, and then withdrew.

Saltfleet and Binbrook Concession Line bill, committed.

Amendment reported.

A Member enters.

Adopted.

British North America Bank bill, and Niagara District Bank bill, read second time.

Erie and Ontario Bank bill, restored to the order of the day.

Members summoned.

House adjourns.

House meets.

Members present.

Wellington District erection bill, brought up from the Assembly.

Read first time.

Resolutions of the Assembly, on the Currency, as amended, read third time, and passed.

And sent to the Assembly for concurrence.

Members enter.

Port Darlington Harbour Company's incorporation bill; and Goderich Harbour erection bill, brought up from the Assembly.



## Wednesday, 1st February, 1837.

## FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

Read first time.	The said bills were then severally read; and it was, Ordered, that they be read a second time to-morrow.
Members enter.	The Honorable Messieurs Markland, Burnham and James Kerby, enter.
Sandwich Bank bill, as amended, read third time and passed.	Pursuant to the order of the day, the bill entitled, "An Act to establish a Bank at Sandwich, in the Western District," was as amended, read a third time; and, The question being put, whether this bill as amended should pass, it was carried in the affirmative:
Amendments signed; And sent to the Assembly for concurrence.	Whereupon the Speaker signed the amendments; and it was, Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill, with certain amendments, to which they desire the concurrence of the Commons House of Assembly.
Saltfleet and Binbrook concession line bill, read third time, and passed.	Pursuant to the order of the day, the bill for affording relief to persons in possession of Lands in the eighth concession of the township of Saltfleet, in certain cases, was read a third time, and passed; and it was,
Title ordered.	Ordered, that the title be, "An Act to amend an Act passed in the first year of His present Majesty's reign, entitled, 'An Act to provide for settling and determining by arbitration, certain difficulties that have arisen, or may arise, between persons owning land in the eighth concession of Saltfleet, and persons owning, or claiming to own, Lands in the first concession of Binbrook who through mistake may have made improvements on the rear part of the said eighth concession of Saltfleet':"
Bill signed;	Whereupon the Speaker signed the bill; and it was,
And sent to the Assembly for concurrence.	Ordered, that it be sent to the Commons House of Assembly by the Master in Chancery, for the concurrence of that House.
English and other Attornies admission bill, re-committed.	Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill to amend the Law relative to the admission of Attornies to practise in this Province. The Honorable Mr. Hamilton took the Chair. After some time the House resumed.
Amendments reported.	The Chairman reported that the Committee had gone through the said bill, and had made some amendments thereto, and recommended the bill to the adoption of the House.
Adopted.	Ordered, that the report be received; and, Ordered, that the said bill be engrossed, and the same read a third time to-morrow.
A Member enters.	The Honorable Mr. Macaulay enters.
Petition of Robert Stanton, committed.	Pursuant to the order of the day, the House was put into a Committee of the whole, upon the petition of Robert Stanton, on the subject of the Printing of the House. The Honorable Mr. Burnham took the Chair. After some time the House resumed.
Reported; and,	The Chairman reported that the Committee had taken the said petition into consideration, and recommended that it be referred to the Select Committee on Printing, to report thereon. Ordered, that the report be received; and, Ordered, that the said petition be referred to the Select Committee on Printing, to report thereon.
Referred to the Select Committee on Printing.	
British North America Bank bill, committed.	Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to enable the proprietors or shareholders of a Company, called the Bank of British North America, to sue and be sued in the name of any one of the local Directors, or Manager, for the time being, of the said Company, in this Province, and for other purposes therein mentioned. The Honorable Mr. Markland took the Chair. After some time the House resumed.
Reported; and,	The Chairman reported that the Committee had taken the said bill into consideration, had made some progress therein, and recommended that it be referred to a Select Committee, with power to send for persons and papers, and to report thereon by amendment or otherwise. Ordered, that the report be received; and, Ordered, that the said bill be referred to a Select Committee, with power to send for persons and papers, and to report thereon by amendment or otherwise; and,
Referred to a Select Committee.	
Members composing same.	Ordered, that Honorable Messieurs Markland, James Kerby and Morris, do compose the same for that purpose.

Wednesday, 1st February, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

The Honorable Mr. Crookshank, from the Select Committee to whom was referred the bill entitled, "An Act to afford aid, by way of loan, to the Gananoque and Wiltsie Navigation Company, and to amend the Act of Incorporation of the said Company," presented their Report.

Report of the Select Committee upon Gananoque and Wiltsie Navigation Company's Loan bill, presented.

Ordered, that it be received; and,

The same was then read by the Clerk, as follows:

Read.

The Committee appointed to examine a bill entitled, "An Act to afford aid, by way of loan, to the Gananoque and Wiltsie Navigation Company, and to amend the Act of Incorporation of the said Company," beg leave to report:

That the bill makes no provision for the passing current of the Debentures with Public Accountants; the suspension of interest in certain cases; the submitting to the Legislature accounts of such Debentures; and awarding punishment for forging any of the Debentures.

The Report.

The bill also requires that the Receiver General shall be satisfied with the security offered for the payment of the interest annually, and the principal after a given period, which responsibility, they consider, would be better placed in the Lieutenant Governor and Council, as in the case of the Louth Harbour Loan bill.

The Committee have deemed it proper to bring those questions before your Honorable House for consideration; in other respects they have not found the measure objectionable.

GEO. CROOKSHANK,

CHAIRMAN.

On motion made and seconded; it was,

Ordered, that the last-mentioned bill, and the report of the Select Committee thereon, be referred to a Committee of the whole House; to-morrow.

The Honorable Mr. Jones, from the Select Committee to whom was referred the bill entitled, "An Act to amend the Charter, and increase the Capital Stock of the Gore Bank," presented their Report.

Report of the Select Committee upon Gore Bank Charter amendment bill, presented.

Ordered, that it be received; and,

The same was then read by the Clerk, as follows:

Read.

The Select Committee to whom was referred the bill sent up from the Commons House of Assembly, entitled, "An Act to amend the Charter and increase the Capital Stock of the Gore Bank," beg leave to report:

That they have given due consideration to the bill referred to them. On examination of the statement made by the President of the Bank, they find that the whole of the Stock authorised by the original Act of Incorporation, viz. £100,000, has been subscribed; and at least £61,000 thereof has been actually paid in previous to the 28th November last. The object of the present bill is to increase the Capital of the said Bank, and when so increased it will be placed in point of Capital on an equality with the older Banks in this Province.

The Report.

Your Committee have examined the different clauses of the bill, and find nothing objectionable in them. They therefore respectfully recommend to your Honorable House the adoption of the bill without any amendment.

(Signed) CHARLES JONES,

CHAIRMAN.

*Committee Room, Legislative Council,*

First February, 1837.

On motion made and seconded; it was,

Ordered, that the last mentioned bill, and the report of the Select Committee thereon, be referred to a Committee of the whole House, to-morrow.

The Honorable Mr. Jones brought up the petition of Sir Daniel Jones, Knight, and others, inhabitants of the Johnstown District; which was laid on the table.

Petition of Sir Daniel Jones, and others, brought up.

On motion made and seconded, the House adjourned until to-morrow, at twelve of the clock, at noon.

House adjourns.

Thursday, 2nd February, 1837.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

THURSDAY, 2nd FEBRUARY, 1837.

House meets.

The House met pursuant to adjournment.

PRESENT:

Members present.	<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> HAMILTON,
	<i>The Honorable Messrs.</i> CROOKSHANK,	" " ADAMSON,
	" " MARKLAND,	" " JAMES KERBY,
	" " ALLAN,	" " CROOKS,
	" " JONES,	" " STEWART,
	" " BURNHAM,	" " MORRIS,
	" " ELMSLEY,	" " MACAULAY.
	" " BALDWIN,	

Prayers were read.

The Minutes of yesterday were read.

English and other Attornies admission bill, read third time, and passed.  
Title ordered.

Pursuant to the order of the day, the bill to amend the law relative to the admission of Attornies to practise in this Province, was a third time, and passed; and it was,

Ordered, that the title be, "An Act to amend the law for the admission of Attornies, and to provide for the further relief of William Conway Keele."

Bill signed;

Whereupon the Speaker signed the bill; and it was,

And sent to the Assembly for concurrence.

Ordered, that the same be sent to the Commons House of Assembly, by the Master in Chancery, for the concurrence of that House.

A Member enters.

The Honorable Mr. McDonell enters.

Gananoque and Wiltsie Navigation Company's loan bill, re-committed.

Pursuant to the order of the day, the House was again put into a Committee of whole, upon the bill entitled, "An Act to afford aid, by way of loan, to the Gananoque and Wiltsie Navigation Company, and to amend the Act of Incorporation of the said Company," and the report of the Select Committee thereon.

The Honorable Mr. Stewart took the Chair.

After some time the House resumed.

Reported.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Adopted.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time to-morrow.

London and Gore Rail-road Company's charter amendment and loan bill, brought up from the Assembly.

A Deputation from the Commons House of Assembly brought up a bill entitled, "An Act to alter and amend the Act incorporating sundry persons under the name of the London and Gore Rail-road Company, and to grant them a sum of money by way of loan," to which they requested the concurrence of this House, and then withdrew.

Read first time.

The said bill was then read; and it was,

Ordered, that the same be read a second time to-morrow.

A Member enters.

The Honorable Mr. Wells enters.

Niagara District Bank bill, committed.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to incorporate sundry persons under the style and title of the Niagara District Bank."

The Honorable Mr. Macaulay took the Chair.

After some time the House resumed.

Amendments reported.

The Chairman reported that the Committee had gone through the said bill, and had made some amendments thereto, which they recommended to the adoption of the House.

Ordered, that the report be received, and,

Read first time.

The said amendments were then read by the Clerk, as follows:

The amendments.

Press 12, line 5—After the word "appoint," expunge to "Provided," in line 14.

" " " 14—Expunge the word "further," and insert in its place, the word "always"

After the last clause of the bill, add "And be it further enacted by the authority aforesaid, That the sum for which such Stockholder or Stockholders shall be so liable, beyond the amount of the original or first value of the stock by them respectively held, shall be called in by instalments in the same manner as such Bank may have been authorised to call in stock originally subscribed; and in case any Stockholder or Stockholders shall neglect or refuse to pay the amount which may be so called in, the Directors of such Bank shall be, and they are hereby authorised, to sue or prosecute in its corporate name in

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any of the Courts of law in this Province for such instalment: Provided always, that such sum or sums of money which may be so called in, shall only be applied towards the payment of such debts or claims as may be outstanding against such Bank: And provided also, that nothing herein contained shall extend, or be construed to extend, to authorise such Directors to call in or demand any sum from the Stockholders, over and above a sum sufficient to discharge such debts or claims as may be outstanding as aforesaid.

"And be it further enacted by the authority aforesaid, That in case of the failure or insolvency of any such Bank, or in case the Stockholders shall neglect or refuse to appoint Directors within three months after the time when by law the same should be appointed, or if such Directors shall neglect or refuse to call in the several sums for which the Stockholders are liable as aforesaid, in the manner aforesaid, it shall and may be lawful for the Governor, Lieutenant Governor, or Person Administering the Government of this Province, to name and appoint five Commissioners to manage the affairs of the said Bank, who shall have and exercise all the power of the Directors in the settlement of the affairs of the said Bank, but shall not be authorised to carry on any other business of Banking, except the calling in of so much of the several sums for which the respective Stockholders may be liable, as shall be sufficient to discharge the sum or sums which may be due by such Bank, together with the necessary expenses attending such management,"

The Honorable and Venerable the Archdeacon of York enters.

A Member enters.

The said amendments being read a second time, and the question of concurrence put on each, they were severally agreed to by the House; and it was,

Amendments read second time, and adopted.

Ordered, that they be engrossed, and the said bill as amended, read a third time to-morrow.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Erie and Ontario Bank of the Niagara District."

Erie and Ontario Bank bill, re-committed.

The Honorable Mr. Markland took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said bill into consideration, had made some further progress therein, and asked leave to sit again to-morrow.

Reported, and leave asked to sit again.

Ordered, that the report be received, and leave granted accordingly.

Leave granted.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to amend the Charter and increase the Capital Stock of the Gore Bank," and the report of the Select Committee thereon.

Gore Bank charter amendment bill, re-committed.

The Honorable Mr. James Kerby took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Reported.

Ordered, that the report be received; and,

Adopted.

Ordered, that the said bill be read a third time to-morrow.

Pursuant to the order of the day, the bill entitled, "An Act erecting certain parts of the Counties of Halton and Simcoe into a new District, by the name of the District of Wellington"; also the bill entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Port Darlington Harbour"; and also the bill entitled, "An Act to enable the Canada Company to erect a Harbour at Goderich, on Lake Huron"; were severally read a second time; and it was,

Wellington District erection bill;

Port Darlington Harbour Company's incorporation bill; and Goderich Harbour erection bill, read second time;

Ordered, that the House be put into Committees of the whole to-morrow, to take the same into consideration.

Pursuant to the order of the day, the petition of Ebenezer Johnson, of the City of Buffalo, praying for an Act to enable him to hold and convey real estate within this Province; and also the petition of James Wallis, and others, inhabitants of the townships in the rear part of the District of Newcastle, praying that the same may be erected into a separate District, to be called the District of Colborne, with Peterborough as the chief Town thereof; were severally read.

Petitions of Ebenezer Johnson; and

Of James Wallis, and others, read.

The Honorable the Speaker brought in a bill, for the more convenient recovery of

Estreats recovery bill, brought in.

Estreats.

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Read first time.

The said bill was then read; and it was,  
Ordered, that the same be read a second time to-morrow.

Notice of moving that the resolution relating to Prince Edward Bank bill, be rescinded.

The Honorable Mr. Jones gave notice, that on to-morrow he would move, that the resolution of this House of the 13th ultimo, relating to the bill entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Prince Edward District Bank," be rescinded, and that the said bill be restored to the order of the day.

House adjourns.

On motion made and seconded, the House adjourned.

FRIDAY, 3rd FEBRUARY, 1837.

House meets.

The House met pursuant to adjournment.

PRESENT:

Members present.

<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> BALDWIN,
<i>The Honorable Messrs.</i> CROOKSHANK,	HAMILTON,
" " ALLAN,	" " ADAMSON,
" " JONES,	" " JAMES KERBY,
" " McDONELL,	" " CROOKS,
" " BURNHAM,	" " STEWART,
" " ELMSLEY,	" " MORRIS.

Prayers were read.

The Minutes of yesterday were read.

Gananoque and Wiltsie Navigation Company's loan bill, read third time.

Pursuant to the order of the day, the bill entitled, "An Act to afford aid, by way of loan, to the Gananoque and Wiltsie Navigation Company, and to amend the Act of Incorporation of the said Company," was read a third time; and it was,

Motion for not passing the bill.

Moved and seconded, that the bill do not now pass, but that the same be again referred to a Committee of the whole House, this day three months:

Negatived.

Upon which the question of concurrence was put, and carried in the negative:

Bill passed, signed,

Whereupon the bill passed, and the Speaker signed the same; and it was,

And the Assembly acquainted thereof.

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill without any amendment.

A Member enters.

The Honorable Mr. Wells enters.

Niagara District Bank bill, as amended, read third time, and passed.

Pursuant to the order of the day, the bill entitled, "An Act to incorporate sundry persons under the style and title of the Niagara District Bank," was, as amended, read a third time; and,

The question being put, whether this bill, as amended, should pass, it was carried in the affirmative:

Amendments signed; And sent to the Assembly for concurrence.

Whereupon the Speaker signed the amendments; and it was,

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill, with certain amendments, to which they desire the concurrence of the Commons House of Assembly.

Gore Bank Charter amendment bill, read third time, and passed.

Pursuant to the order of the day, the bill entitled, "An Act to amend the Charter and increase the Capital Stock of the Gore Bank," was read a third time, and passed:

Same signed;

Whereupon the Speaker signed the same; and it was,

And the Assembly acquainted thereof.

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill without any amendment.

A Member enters.

The Honorable Mr. Markland enters.

Report of the Select Committee upon the Petition of Robert Stanton, presented.

The Honorable Mr. Baldwin, from the Select Committee to whom was referred the petition of Robert Stanton, on the subject of Printing, presented their Report.

Read.

Ordered, that it be received; and,

The same was then read by the Clerk, as follows:

The Report.

The Select Committee appointed to superintend the Printing of the Legislative Council, during the present Session, have, in obedience to the order of your Honorable House, taken the petition of Robert Stanton, Esquire, His Majesty's Printer, into their deliberate consideration; and in order to understand more fully what he complains of in his petition, your Committee called Mr. Stanton before them, and heard what he had to say against the method adopted by the Printing Committee, during the last and the present Sessions, for the publication of the Journals. But as Mr. Stanton's statement was a reiteration of the allegations contained in the present, and

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- Ordered, that the report be received; and,  
 Read first time. The said resolution was then read by the Clerk, as follows:
- The Resolution. *Resolved*,—That the Select Committee appointed to superintend the Printing of this House, having signified their request to be discharged from the duty committed to them, it is the opinion of this Committee that they should be accordingly discharged, and that the Printing be done as hitherto under the superintendence of the Clerk of this House, who shall observe such arrangements as may have been made by the Committee with any Printer or Printers for the work of the present Session, and shall hereafter take such course as shall best secure the objects of punctuality, accuracy and economy.
- Amendments to the same moved; In amendment, it was moved and seconded that it be,  
*Resolved*,—That this House is quite satisfied with the proceedings of the Printing Committee, and that they have no desire to interfere with their arrangements, and that it is expedient, in the opinion of this House, that the said Printing Committee do continue as heretofore to discharge their duties.
- And negatived. The question of concurrence being put, it was carried in the negative.
- Original question put and carried. The question upon the original resolution being put, it was carried in the affirmative; and it was,
- The order. Ordered, that the Select Committee appointed to superintend the Printing of this House, having signified their request to be discharged from the duty committed to them, it is the opinion of this House that they should be accordingly discharged, and that the Printing be done as hitherto, under the superintendence of the Clerk of this House, who shall observe such arrangements as may have been made by the Committee with any Printer or Printers for the work of the present Session; and shall hereafter take such course as shall best secure the objects of punctuality, accuracy and economy.
- Beverley Navigation Company's incorporation amendment bill, brought up from the Assembly. Read first time. A Deputation from the Commons House of Assembly, brought up a bill entitled, "An Act to incorporate sundry persons under the style and title of the Beverley Navigation Company," to which they requested the concurrence of this House, and then withdrew.
- Erie and Ontario Bank bill, re-committed. The said bill was then read; and it was,  
 Ordered, that the same be read a second time to-morrow.
- Amendment reported. Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Erie and Ontario Bank of the Niagara District."  
 The Honorable Mr. Markland took the Chair.  
 After some time the House resumed.  
 The Chairman reported that the Committee had gone through the said bill, and had made an amendment thereto, which they recommended to the adoption of the House.
- Read first time. Ordered, that the report be received; and,  
 The said amendment was then read by the Clerk, as follows:
- The amendment. Add to the bill—"30. And be it further enacted by the authority aforesaid, That it shall and may be the duty of the President and Cashier of the said Bank, for the time being, to make a return under oath to the Provincial Parliament once in each year, if required either by the Legislative Council or House of Assembly, which return shall contain a full and true account of capital stock paid in; bills in circulation of five dollars and upward not bearing interest; bills in circulation under five dollars not bearing interest; bills and notes in circulation bearing interest; balance due to other Banks; cash deposited, including all sums whatsoever due from the Bank not bearing interest, (its bills in circulation and balances due to other Banks excepted); cash deposited bearing interest; total amount due from the Bank; of the resources of the Bank; the gold, silver and other coined metals in the Banking-house; real estate; bills of other Banks; balances due from other Banks; amounts of all debts due, including notes, bills of exchange, and all stock and funded debts of every description, excepting the balances due from other banks; total amount of the resources of the Bank; rate and amount of the last dividend; amount of reserved profits at the time of declaring the last dividend; amount of debts due to the Bank and not paid, and considered doubtful.
- "31. And whereas it is expedient to afford additional security to the public against the failure of Banks in this Province, by rendering the holders of

Friday, 3rd February, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

the petition which he presented on the same subject last year, your Committee do not think it necessary to lay a detail of the matter before the Legislative Council.

When your Committee undertook the unpleasant task of superintending the printing of the Journals, they were not ignorant of the difficulties with which they were surrounded, and they knew that they could not satisfy the public expectation by circulating the proceedings of this branch of the Legislature, without at the same time incurring the displeasure of those, who for a series of years had exercised the uncontrolled management of this branch of the business of each Session; and they were aware that any change which might interfere with the former patronage of the House, would at once be deemed an interference with vested rights.

But so long as your Committee felt conscious of being actuated by a laudable desire to promote the best interests of the Province, by laying before the public the whole proceedings of the Legislative Council, in order to vindicate its character from aspersions widely and unjustly cast on it, these considerations, however discouraging, could not deter your Committee from the zealous prosecution of their labours, so long as they felt that the important object was attained, and that your Honorable House had no reason to suppose that the Committee had abused the powers with which they were entrusted.

The Committee deem it due to themselves as well as to the House, to state, that they are of opinion that the Government Printer, notwithstanding the custom which permitted him to print the Journals of the Legislative Council, has no right to claim a perpetual continuance of that employment, especially as he has it not in his power to give them publicity; and when the interests of the community, as well as a right understanding of the proceedings had in the Legislative Council, require that they should go forth to the public as speedily as possible. Besides, it would seem unreasonable that the King's Printer should expect a monopoly of the Printing, not only of all the Executive Offices of the Government, of the Laws, and Official Advertisements, which must have increased four-fold since his appointment, but that he should be looked upon as an Officer of the Legislature, entitled to its entire and undivided patronage also. Your Committee have less reluctance in taking this view of the subject than they would otherwise have felt, did they not know that if Mr. Stanton has lost the advantage of printing the Journals of the Legislative Council, he has gained employment from the House of Assembly much more extensive and profitable, which might be supposed would leave him without any cause of complaint.

The Committee felt it proper to enter into these explanations before closing their Report, because they have discovered that in their endeavours to confer a benefit on the Country, as well as on the House, by the publication of the Journals, they have failed to afford satisfaction to a majority of its Members.

As it would seem by the proceeding of the Committee of the whole House on the petition of Mr. Stanton on the 1st instant, that his claims are regarded as of more importance than the object which induced the Printing Committee of the last as well as of the present Session to undertake the unenviable trouble of making public the proceedings of the Legislative Council. Under these circumstances the Committee cannot be expected to have any desire to continue their services, and therefore they most respectfully request that your Honorable House may relieve them from further responsibility in that respect.

(Signed) A. BALDWIN,  
CHAIRMAN.

*Committee Room, Legislative Council,*

Third February, 1837.

On motion made and seconded; it was,

Ordered, that the last-mentioned report be referred to a Committee of the whole House presently.

The House was then put into a Committee of the whole on the same accordingly.

The Honorable Mr. Allan took the Chair.

After some time the House resumed.

The Honorable and Venerable the Archdeacon of York, and the Honorable Mr. Macaulay enter. The Report, committed.

The Chairman reported that the Committee had taken the said report of the Select Committee into consideration, and had agreed to a resolution, which they recommended to the adoption of the House. Members enter. A Resolution reported.

Friday, 3rd February, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

stock in such Banks personally liable to a certain extent beyond the amount of stock subscribed: Be it therefore further enacted by the authority aforesaid, That the Shareholders of the said Bank shall be respectively liable for the engagements of the Company, to the extent of twice the amount of their subscribed shares, including the amount of stock so held as aforesaid.

"32. And be it further enacted by the authority aforesaid, That the sum for which such Stockholder or Stockholders shall be so liable, beyond the amount of the original or first value of the stock by them respectively held, shall be called in by instalments, in the same manner as such Bank may have been authorised to call in stock originally subscribed; and in case any Stockholder or Stockholders shall neglect or refuse to pay the amount which may be so called in, the Directors of any such Bank shall be, and they are hereby authorised, to sue or prosecute in its corporate name in any of the Courts of law in this Province for such instalment: Provided always, that such sum or sums of money which may be so called in, shall only be applied towards the payment of such debts or claims as may be outstanding against such Bank: And provided also, that nothing herein contained shall extend, or be construed to extend, to authorise such Directors to call in or demand any sum from the Stockholders, over and above a sum sufficient to discharge such debts and claims as may be outstanding as aforesaid.

"33. And be it further enacted by the authority aforesaid, That in case of the failure or insolvency of any such Bank, or in case the Stockholders shall neglect or refuse to appoint Directors within three months after the time when by law the same should be appointed, or if such Directors shall neglect or refuse to call in the several sums for which the Stockholders are so liable as aforesaid, in the manner aforesaid, it shall and may be lawful for the Governor, Lieutenant Governor, or Person Administering the Government of this Province, to name and appoint five Commissioners to manage the affairs of the said Bank, who shall have and exercise all the power of the Directors in the settlement of the affairs of the said Bank, but shall not be authorised to carry on any other business of Banking, except the calling in so much of the several sums for which the respective Stockholders may be liable, as shall be sufficient to discharge the sum or sums which may be due by such Bank, together with the necessary expenses attending such management."

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House; and it was,

Read second time, and adopted.

Ordered, that it be engrossed, and the said bill as amended, read a third time tomorrow.

Pursuant to the order of the day, the House was put into a Committee of whole, upon the bill entitled, "An Act erecting certain parts of the Counties of Halton and Simcoe into a new District, by the name of the District of Wellington."

Wellington District erection bill; committed.

The Honorable Mr. Macaulay took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said bill into consideration, had made some progress therein, and recommended that it be referred to a Select Committee, with power to send for persons and papers, and to report thereon by amendment or otherwise.

Reported; and,

Ordered, that the report be received; and,

Ordered, that the said bill be referred to a Select Committee, with power to send for persons and papers, and to report thereon by amendment or otherwise; and,

Referred to a Select Committee.

Ordered, that the Honorable Messieurs Adamson, James Kerby and Macaulay, do compose the same for that purpose.

Members composing same.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Port Darlington Harbour."

Port Darlington Harbour Company's incorporation bill, committed.

The Honorable Mr. Crooks took the Chair.

After some time the House resumed.



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- Reported; and, The Chairman reported that the Committee had taken the said bill into consideration, had made some progress therein, and recommended that the same be referred to a Select Committee, to report thereon by amendment or otherwise.
- Ordered, that the report be received; and,
- Referred to a Select Committee. Ordered, that the said bill be referred to a Select Committee, to report thereon by amendment or otherwise; and,
- Members composing same. Ordered, that the Honorable Messieurs Elmsley and Hamilton, do compose the same for that purpose.
- Goderich Harbour erection bill, committed. Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to enable the Canada Company to erect a Harbour at Goderich, on Lake Huron."
- The Honorable Mr. Hamilton took the Chair.
- After some time the House resumed.
- Reported; and, The Chairman reported that the Committee had taken the said bill into consideration, had made some progress therein, and recommended that the same be referred to a Select Committee, to report thereon by amendment or otherwise.
- Ordered, that the report be received; and,
- Referred to a Select Committee. Ordered, that the said bill be referred to a Select Committee, to report thereon by amendment or otherwise; and,
- Members composing same. Ordered, that the Honorable Messieurs Jones and Burnham, do compose the same for that purpose.
- London and Gore Rail-road Company's charter amendment and loan bill; and, Estreats recovery bill, read second time. Pursuant to the order of the day, the bill entitled, "An Act to alter and amend the Act incorporating sundry persons under the name of the London and Gore Rail-road Company, and to grant them a sum of money by way of loan"; and also the bill, for the more convenient recovery of Estreats, were severally read a second time; and it was,
- Ordered, that the House be put into Committees of the whole to-morrow, to take the same into consideration.
- Motion for rescinding resolution of the House, relating to Prince Edward District Bank bill, and for restoring the same to the order of the day. Pursuant to notice, it was moved and seconded, that a resolution adopted by this House, on the 13th ultimo, in these words, viz. "Resolved, that it is not expedient to incorporate a Banking Company in the Prince Edward District, during the present Session of the Legislature," be rescinded, and that the bill incorporating a Banking Company in the Prince Edward District, be placed on the order of the day for to-morrow.
- Question put and carried. The question of concurrence being put, it was carried in the affirmative; and it was,
- The order. Ordered, that a resolution adopted by this House, on the 13th ultimo, in these words, viz. "Resolved, that it is not expedient to incorporate a Banking Company in the Prince Edward District, during the present Session of the Legislature," be rescinded, and that the bill incorporating a Banking Company in the Prince Edward District, be placed on the order of the day for to-morrow.
- Petition of Sir Daniel Jones, and others, read. Pursuant to the order of the day, the petition of Sir Daniel Jones, Knight, and others inhabitants of the Johnstown District, praying for an Act authorising the Macadamization of the road leading from Brockville to St. Francis, with liberty to extend branches to Charleston, Beverley and Portland, was read.
- On motion made and seconded; it was,
- Grantham Academy Grant bill, restored to the order of the day. Ordered, that the bill entitled, "An Act granting a certain sum of money to the Trustees of the Grantham Academy, for the purpose of liquidating the debts of that Institution," and the report of the Select Committee thereon, be restored to the order of the day; and that the same be again referred to a Committee of the whole House to-morrow.
- Petition of W. Parker, and others, brought up. The Honorable Mr. Crooks brought up the petition of W. Parker, and others, Members of the General Committee appointed at a public meeting of the inhabitants of the County of Hastings; which was laid on the table.
- House adjourns. On motion made and seconded, the House adjourned.

Saturday, 4th February, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

SATURDAY, 4th FEBRUARY, 1837.

The House met pursuant to adjournment.

House meets.

PRESENT:

*The Honorable* JOHN B. ROBINSON, SPEAKER.  
*The Honorable Messrs.* CROOKSHANK,  
" " MARKLAND,  
" " JONES,  
" " BURNHAM,

*The Honorable Messrs.* ELMSLEY,  
" " HAMILTON,  
" " CROOKS,  
" " STEWART.

Members present.

Prayers were read.

The Minutes of yesterday were read.

Pursuant to the order of the day, the bill entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Erie and Ontario Bank of the Niagara District," was, as amended, read a third time; and,

Erie and Ontario Bank bill, as amended, read third time, and passed.

The question being put, whether this bill, as amended, should pass, it was carried in the affirmative:

Whereupon the Speaker signed the amendment; and it was,

Amendment signed;

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council have passed this bill, with an amendment, to which they desire the concurrence of the Commons House of Assembly.

And sent to the Assembly for concurrence.

The Honorable and Venerable the Archdeacon of York, and the Honorable Messieurs Allan, Baldwin and Adamson, enter.

Members enter.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to alter and amend the Act incorporating sundry persons under the name of the London and Gore Rail-road Company, and to grant them a sum of money by way of loan."

London and Gore Rail-road Company's charter amendment and loan bill, committed.

The Honorable Mr. Markland took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said bill into consideration, had made some progress therein, and recommended that it be referred to a Select Committee, with power to send for persons and papers, and to report thereon.

Reported;

Ordered, that the report be received; and,

Ordered, that the said bill be referred to a Select Committee, with power to send for persons and papers, and to report thereon; and,

And referred to a Select Committee.

Ordered, that the Honorable Messieurs Markland and Crooks, do compose the same for that purpose.

Members composing same.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill for the more convenient recovery of Estreats.

Estreats recovery bill, committed.

The Honorable Mr. Crooks took the Chair.

After some time the House resumed.

The Honorable Mr. Morris enters.

A Member enters.

The Chairman reported that the Committee had taken the said bill into consideration, had made some progress therein, and asked leave to sit again on Monday next.

Reported, and leave asked to sit again.

Ordered, that the report be received, and leave granted accordingly.

Leave granted.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Prince Edward District Bank."

Prince Edward District Bank bill, committed.

The Honorable Mr. Adamson took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Reported.

Ordered, that the report be received; and,

Adopted.

Ordered, that the said bill be read a third time on Monday next.

On motion made and seconded, the House adjourned until Monday next, at ten of the clock, A.M.

House adjourns.

Monday, 6th February, 1837.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

MONDAY, 6th FEBRUARY, 1837.

House meets.

The House met pursuant to adjournment.

PRESENT:

Members present.	<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> HAMILTON,
	<i>The Honorable Messrs.</i> ALLAN,	“ “ ADAMSON,
	“ “ JONES,	“ “ CROOKS,
	“ “ BURNHAM,	“ “ STEWART,
	“ “ BALDWIN,	“ “ MACAULAY.

Prayers were read.

The Minutes of Saturday were read.

Prince Edward District Bank bill, read third time, and passed.

Pursuant to the order of the day, the bill entitled, “An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Prince Edward District Bank,” was read a third time, and passed:

Same signed;

Whereupon the Speaker signed the same; and it was,

And the Assembly acquainted thereof.

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill without any amendment.

Beverly Navigation Company's incorporation bill, read second time.

Pursuant to the order of the day, the bill entitled, “An Act to incorporate sundry persons under the style and title of the Beverley Navigation Company,” was read a second time; and it was,

And referred to a Select Committee.

Ordered, that the same be referred to a Select Committee to report thereon by amendment or otherwise; and,

Members composing same.

Ordered, that the Honorable Messieurs Jones and Baldwin do compose the same for that purpose.

Members added to the Committee upon London and Gore Rail-road Company's charter amendment and loan bill.

On motion made and seconded; it was,

Ordered, that the Honorable Messieurs Hamilton and Macaulay, be added to the Select Committee to whom was referred the bill entitled, “An Act to alter and amend the Act incorporating sundry persons under the name of the London and Gore Rail-road Company, and to grant them a sum of money by way of loan.”

Petition of W. Parker, and others, read.

Pursuant to the order of the day, the petition of W. Parker, and others, Members of the General Committee appointed at a Public Meeting of the inhabitants of the County of Hastings, praying against the amendments contemplated to be made by the Legislative Council, to the Hastings division bill, was read.

Report of the Select Committee upon Wellington District erection bill, presented.

The Honorable Mr. Adamson, from the Select Committee to whom was referred the bill entitled, “An Act erecting certain parts of the Counties of Halton and Simcoe into a new District, by the name of the District of Wellington,” presented their Report.

Read.

Ordered, that it be received; and,

The same was then read by the Clerk, as follows:

The Select Committee to which has been referred the bill entitled, “An Act erecting certain parts of the Counties of Halton and Simcoe into a new District, by the name of the District of Wellington,” beg leave to report:

The Report.

That they have compared the first section of the bill with the report of the Joint Committee, dated 20th December, 1836, on the subject of the division of Districts, and find that it embraces all the territory therein described and recommended for the intended new District of Wellington.

They have also called before them some gentlemen of Guelph, who have explained to the Committee that a new District, comprehending nearly the same territory as the provisions of this bill embrace, was applied for by petition to both Houses, and notified in the Gazette in the years 1833 and 1835, and that a similar course would have been pursued on the present occasion, had it not been understood by them to be unnecessary to put a notice into the Gazette. Though this was omitted, a petition on the subject was presented at an early period of the present Session. Your Committee conceive that this explanation will be found satisfactory to your Honorable House, so far as its established rules on this point are concerned.

Your Committee annex a memorandum of the amendments, which they recommend to the consideration of your Honorable House.

All which is respectfully submitted.

(Signed) P. ADAMSON,  
CHAIRMAN.

Legislative Council, Committee Room,

Fourth February, 1837.

Tuesday, 7th February, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

AMENDMENTS.

- Press 2, line 1—After “Province,” insert “for the time being, by and with the advice and consent of His Majesty’s Executive Council”
- “ 8, “ 8—After “Act,” insert “and”
- “ 10, “ 21—After “said,” insert “intended”
- “ 11, “ 2—After “Magistrates,” insert “within the parts”—after “Simcoe,” insert “afore-mentioned”
- “ “ “ 22—After “inhabitants,” insert “of the townships”—after “Simcoe,” insert “afore-mentioned”
- “ 12, “ 2—After “within,” insert “the aforementioned townships of the”
- “ “ “ 5—Expunge “Counties,” and insert “limits of the said intended District”
- “ “ “ 7—After “within,” insert “the aforementioned townships of the”
- “ “ “ 16—Expunge “required to form,” and insert “included within”
- “ “ “ 22—Before “Counties,” insert “said”

On motion made and seconded; it was,

Ordered, that the last mentioned bill, and the report of the Select Committee thereon, be referred to a Committee of the whole House, to-morrow.

The Honorable Mr. Hamilton gave notice that he would, on to-morrow, move that the resolution adopted by this House on the 13th ultimo, in these words, viz. “Resolved, that it is not expedient to incorporate, during the present Session of the Legislature, more than one Banking Company in the Johnstown District,” be rescinded; and that the bill entitled, “An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Prescott Bank,” be restored to the order of the day.

Notice of a motion for rescinding the resolution of the House, relating to Prescott Bank bill, and for restoring the same to the order of the day.

The Honorable Mr. Crookshank, the Honorable and Venerable the Archdeacon of York, and the Honorable Mr. James Kerby, enter.

Members enter.

A Deputation from the Commons House of Assembly, brought up a bill entitled, “An Act to establish a Court of Chancery in this Province,” to which they requested the concurrence of this House, and then withdrew.

Chancery Court establishment bill, brought up from the Assembly.

The said bill was then read; and it was,

Read first time.

Ordered, that the same be read a second time on Friday next; and,

Ordered, that two hundred copies of the bill be in the mean time printed for the use of Members.

And ordered to be printed.

On motion made and seconded, the House adjourned until to-morrow, at three of the clock, P.M.

House adjourns.

TUESDAY, 7th FEBRUARY, 1837.

The House met pursuant to adjournment.

House meets.

PRESENT:

*The Honorable* JOHN B. ROBINSON, *SPEAKER.*

*The Honorable Messrs.* HAMILTON,

*The Honorable Messrs.* ALLAN,

“ “ ADAMSON,

“ “ JONES,

“ “ JAMES KERBY,

“ “ BURNHAM,

“ “ CROOKS,

“ “ BALDWIN,

“ “ STEWART.

Members present.

Prayers were read.

The Minutes of yesterday were read.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill for the more convenient recovery of Estreats.

Estreats recovery bill, re-committed.

The Honorable Mr. Crooks took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and had made an amendment thereto, and recommended the bill to the adoption of the House.

Amendment reported.

Ordered, that the report be received, and,

Adopted.

Ordered, that the said bill be engrossed, and the same read a third time to-morrow.

Deputations from the Commons House of Assembly, returned the bill sent down from this House, entitled, “An Act to amend an Act passed in the first year of His present Majesty’s reign, entitled, ‘An Act to provide for settling and determining, by arbitration, certain difficul-

Saltfleet and Binbrook Concession Line bill;

Tuesday, 7th February, 1837.

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Corporations Legal Remedy continuation bill; and,

Chatham and Camden Boundary Line bill, passed and returned by the Assembly.

Seduction provision bill; and,

Justice advancement bill, amended and returned from the Assembly.

Amendments of the Council to Cobourg Police bill;

To Sandwich Bank bill;

To Upper Canada Loan and Trust bill;

To Niagara District Bank bill;

To London District Bank bill;

To Newcastle District Bank bill;

To Caledonia Springs Company's incorporation bill;

To Brockville Insurance and Loan bill;

And to Lyndhurst Mining Company's incorporation bill, acceded to by the Assembly.

Amendment of the Assembly to Seduction provision bill, read first time.

The amendment.

Amendments of the Assembly to Justice advancement bill, read first time.

The amendments.

tics that have arisen, or may arise, between persons owning Land in the eighth concession of Saltfleet, and persons owning, or claiming to own, Lands in the first concession of Binbrook, who through mistake, may have made improvements on the rear part of the said eighth concession of Saltfleet;" also the bill entitled, "An Act to revive, continue and amend, an Act passed in the third year of His present Majesty's reign entitled, 'An Act to facilitate legal remedies against Corporations;" and also the bill entitled, "An Act to establish the Boundary Lines in front of Lots on the River Thames, in the townships of Chatham and Camden, in the Western District;" and acquainted this House that the Commons House of Assembly had passed the same, without any amendment. They also returned the bill sent down from this House, entitled, "An Act to make the remedy in cases of Seduction more effectual, and to render the fathers of illegitimate children liable for their support;" and also the bill entitled, "An Act for the further amendment of the Law, and the better advancement of Justice;" and acquainted this House that the Commons House of Assembly had made certain amendments in and to the same, to which they desire the concurrence of the Legislative Council. And they also returned the bill sent up from the Commons House of Assembly, entitled, "An Act to establish a Police in the Town of Cobourg, and to define the limits of the said Town;" also the bill entitled, "An Act to establish a Bank at Sandwich, in the Western District;" also the bill entitled, "An Act to incorporate certain persons under the style of the Upper Canada Loan and Trust Company;" also the bill entitled, "An Act to incorporate sundry persons under the style and title of the Niagara District Bank;" also the bill entitled, "An Act incorporating a Joint Stock Company under the style and title of the President, Directors and Company of the London District Bank;" also the bill entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company of the Bank of the Newcastle District;" also the bill entitled, "An Act to incorporate a Joint Stock Company for the improvement of the Mineral Springs, in the township of Caledonia, in the Ottawa District;" also the bill entitled, "An Act to establish a Life Insurance and Loan Company, at Brockville, in the District of Johnstown;" and also the bill entitled, "An Act to incorporate sundry persons under the style and title of the Lyndhurst Mining and Manufacturing Company;" and acquainted this House, that the Commons House of Assembly had acceded to the amendments made by the Legislative Council in and to these several bills. The Deputations then withdrew.

The amendment of the Commons House of Assembly, made in and to the bill entitled, "An Act to make the remedy in cases of Seduction more effectual, and to render the fathers of illegitimate children liable for their support," was then read by the Clerk, as follows:

Amendment made by the Commons House of Assembly, in and to the bill sent down by the Honorable the Legislative Council, entitled, "An Act to make the remedy in cases of Seduction more effectual, and to render the fathers of illegitimate children liable for their support."

Add to the bill, "Provided always, and be it further enacted by authority aforesaid, That nothing herein contained shall extend, or be construed to extend, to alter the law in respect to any action for seduction against the person in whose service a female shall have been at the time of such seduction."

On motion made and seconded; it was,

Ordered, that the foregoing amendment be read a second time to-morrow.

The amendments of the Commons House of Assembly, made in and to the bill entitled, "An Act for the further amendment of the Law, and the better advancement of Justice," were then read by the Clerk, as follows:

Amendments made by the Commons House of Assembly, in and to the bill sent down from the Honorable the Legislative Council, entitled, "An Act for the further amendment of the Law, and the better advancement of Justice."

Press 8, line 8—After "Law," insert "or wager of battle"

" 12, " 21—After "had," insert "and shall be stated and set forth in the postea to be endorsed on the said record"

" 17, " 2—After "real," expunge "or personal"

" " 6—After "real," expunge "or personal"

Add to the bill—" 35. And be it further enacted by the authority aforesaid, That it shall be lawful for any plaintiff or plaintiffs to sue out any writ of *capias ad respondendum* in any District, directed to the Sheriff of any other District with the

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SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

legal notice thereon to the defendant to file his appearance in the District in which such writ shall be sued out, and that proceedings may be had thereon in the same manner as if the writ had been directed to the Sheriff of the District in which the same was sued out."

On motion made and seconded; it was,

Ordered, that the last mentioned amendments be read a second time to-morrow.

The Honorable Mr. Crookshank enters.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act granting a certain sum of money to the Trustees of the Grantham Academy, for the purpose of liquidating the debts of that Institution," and the report of the Select Committee thereon.

The Honorable Mr. Crooks took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and had made an amendment thereto, which they recommended to the adoption of the House.

Ordered, that the report be received; and,

The said amendment was then read by the Clerk, as follows:

Press 1, line 23—After "whatever," insert "2. And be it further enacted by the authority aforesaid, That before the money granted by this Act shall be paid, security shall be given by the Trustees by mortgage to the Receiver General of this Province, upon the said Academy and the lands attached thereto, for the repayment of the said sum of money and interest at the expiration of five years, and that such mortgage, if found to be valid and sufficient, shall be certified to be so by the Attorney General of this Province, and shall be deposited in the office of the Receiver General."

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House; and it was,

Ordered, that the said amendment be engrossed, and the said bill, as amended, read a third time to-morrow.

A Deputation from the Commons House of Assembly brought up, and delivered at the Bar of this House, a Message in the following words, and then withdrew:

MR. SPEAKER,

The Commons House of Assembly has concurred in the amendments made by the Honorable the Legislative Council, in and to the Resolutions sent up by this House, in relation to the Despatch from His Majesty's principal Secretary of State, on the subject of the Circulating Medium of this Province.

(Signed) ARCHIBALD McLEAN,

SPEAKER.

*Commons House of Assembly,*

26th day of February, 1837.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act erecting certain parts of the Counties of Halton and Simcoe into a new District, by the name of the District of Wellington," and the report of the Select Committee thereon.

The Honorable Mr. Macaulay took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and had made some amendments thereto, which they recommended to the adoption of the House.

Ordered, that the report be received, to-morrow.

A Deputation from the Commons House of Assembly brought up a bill entitled, "An Act to authorise His Majesty's Justices to hold Courts of Oyer and Terminer, Assize and Nisi Prius, and General Gaol Delivery, in the Ottawa District," to which they requested the concurrence of this House, and then withdrew.

The said bill was then read; and it was,

Ordered, that the said bill be read a second time to-morrow.

Pursuant to notice, the Honorable Mr. Hamilton moved, that a resolution adopted by this House, on the 13th ultimo, in these words, viz. "Resolved, that it is not expedient to incorporate

A Member enters.

Grantham Academy Grant bill, re-committed.

Amendment reported.

Read first time.

The amendment.

Read second time, and adopted.

Message from the Assembly:

Acceding to the amendments of the Council to the Resolutions of the Assembly, on the subject of the local Currency.

Wellington District erection bill, re-committed.

Amendments reported.

Ottawa District Assize Court bill, brought up from the Assembly.

Read first time.

Motion for rescinding the resolution relating to the Prescott Bank bill, and for restoring it to the order of the day.

Thursday, 9th February, 1837.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

rate, during the present Session of the Legislature, more than one Banking Company in the Johnstown District," be rescinded, and that the bill entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Prescott Bank," be restored to the order of the day.

Adopted.

The said Resolution being read a second time, and the question of concurrence put thereon, it was agreed to by the House; and it was,

The order.

Ordered, that the resolution adopted by this House, on the 13th ultimo, in these words, viz. "Resolved, that it is not expedient to incorporate, during the present Session of the Legislature, more than one Banking Company in the Johnstown District," be rescinded, and that the bill entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Prescott Bank," be restored to the order of the day; and,

Ordered, that the said bill be again referred to a Committee of the whole House on Thursday next.

Report of the Select Committee upon Trent River navigation grant bill, presented.

The Honorable Mr. Stewart, from the Select Committee to whom was referred the bill entitled, "An Act granting to His Majesty a sum of money, to be raised by Debenture, for the improvement of the Navigation of the River Trent," presented their report:

Ordered, that it be received; and,

Read.

The same was then read by the Clerk, as follows:

The Report.

The Select Committee of the Legislative Council, to whom was referred the bill sent up from the Assembly, entitled, "An Act granting to His Majesty a sum of money, to be raised by Debenture, for the improvement of the Navigation of the River Trent," beg leave to Report:

That they have carefully examined the provisions of the bill submitted to them, and on comparing it with the Acts for improving the Navigation of the River Saint Lawrence, find those clauses only left out which do not apply to the object of the present bill, except directing the appropriation of penalties which may be imposed on offenders for trespassing upon or injuring the work, and no provision in regard to the size of the Locks.

Your Committee beg leave further to report, that the bill contains a provision directing the levying of Tolls so soon as it becomes a Law, which will enable the Commissioners to be appointed under it to provide a fund for the immediate payment of the interest to a considerable extent, and that several of the largest proprietors upon the line of the proposed works have signed a release of any land that may be required, and have also given permission that any materials found thereon may be taken for its construction free from any charge.

All which is respectfully submitted,

(Signed) JAMES CROOKS,

CHAIRMAN.

*Legislative Council, Committee Room,*

Seventh February, 1837.

On motion made and seconded; it was,

Ordered, that the last-mentioned bill, and the report of the Select Committee thereon, be referred to a Committee of the whole House, on Thursday next.

Petition of Allan McPherson, and others, brought up.

The Honorable Mr. Macaulay brought up the petition of Allan McPherson, and others, inhabitants of certain townships in the Midland District; which was laid on the table.

House adjourns.

On motion made and seconded, the House adjourned until Thursday next, at the hour of three of the clock, P.M.

THURSDAY, 9th FEBRUARY, 1837.

House meets.

The House met pursuant to adjournment.

PRESENT :

Members present.

*The Honorable* JOHN B. ROBINSON, SPEAKER.

*The Hon. & Ven. The* ARCHDEACON OF YORK,

*The Honorable Messrs.* WELLS,

" " ALLAN,

" " JONES,

" " McDONELL,

" " BURNHAM,

*The Honorable Messrs.* ELMSLEY,

" " BALDWIN,

" " HAMILTON,

" " ADAMSON,

" " JAMES KERBY,

" " CROOKS,

" " STEWART.

Prayers were read.

The Minutes of Tuesday last were read.

Thursday, 9th February, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

Pursuant to the order of the day, the bill, for the more convenient recovery of Estreats, was read a third time, and passed; and it was,

Ordered, that the title be, "An Act for the more convenient recovery of Estreats:"

Whereupon the Speaker signed the bill; and it was,

Ordered, that the same be sent to the Commons House of Assembly, by the Master in Chancery, for the concurrence of that House.

The Honorable Mr. Crookshank enters.

Deputations from the Commons House of Assembly returned the bill entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Erie and Ontario Bank of the Niagara District," and acquainted this House, that the Commons House of Assembly had acceded to the amendment made by the Legislative Council in and to the same; and they brought up a bill entitled, "An Act to regulate the expenditure of the District Funds within this Province;" also a bill entitled, "An Act better to secure the independence of the Commons House of Assembly of this Province, and for other purposes therein mentioned;" also a bill entitled, "An Act to authorise the payment of a certain portion of the War Losses;" also a bill entitled, "An Act to authorise the construction of a Macadamized Road from Dundas to Waterloo, in the Gore District;" also a bill entitled, "An Act to establish Agricultural Societies in the several Districts of this Province;" and also a bill entitled, "An Act to raise a sum of money to Macadamize the Road between the Town of Kingston and the Village of Napanee, in the Midland District, and for other purposes therein mentioned," to which they requested the concurrence of this House, and then withdrew.

The said bills were then severally read; and it was,

Ordered, that they be read a second time to-morrow.

Pursuant to the order of the day, the bill entitled, "An Act granting a certain sum of money to the Trustees of the Grantham Academy, for the purpose of liquidating the debts of that Institution," was, as amended, read a third time; and,

The question being put, whether this bill, as amended, should pass, it was carried in the affirmative:

Whereupon the Speaker signed the amendment; and it was,

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill, with an amendment, to which they desire the concurrence of the Commons House of Assembly.

A Deputation from the Commons House of Assembly brought up a bill entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Freeholders' Bank of Upper Canada," to which they requested the concurrence of this House, and then withdrew.

The said bill was then read; and it was,

Ordered, that the same be read a second time to-morrow.

Pursuant to the order of the day, the amendments reported by the Committee of the whole House in and to the bill entitled, "An Act erecting certain parts of the Counties of Halton and Simcoe into a new District, by the name of the District of Wellington," were received; and,

The same was then read by the Clerk, as follows:

Press 1, line 5—Expunge "County," and insert "District".

" 2, " 1—After "Province," insert "for the time being, by and with the advice and consent of His Majesty's Executive Council"

" " " 2—After "Simcoe," insert "and other territory aforementioned"

" " " 8—After "Simcoe," insert "and other territory aforementioned"

" 8, " 8—After "Act," insert "and"

" 10, " 21—After "said," insert "intended"

" 11, " 2—After "Magistrates," expunge "of," and insert "within the townships forming"—after "Simcoe," insert "forming the said intended new District"

" " " 22—After "said," insert "townships of the"—after "Simcoe," insert "forming the said intended new District"

" 12, " 2—After "within," insert "the aforementioned townships of the"

" " " 5—Expunge "said Counties," and insert "limits of the said intended District"

" " " 7—After "within," insert "the aforementioned townships of the"

" " " 16—Expunge "required to form," and insert "included within"

" " " 22—Before "Counties," insert "said"

Estreats recovery bill, read third time, and passed.

Title ordered.

Bill signed;

And sent to the Assembly for concurrence.

A Member enters.

Erie and Ontario Bank bill, amended and returned from the Assembly.

District Funds regulation bill; Assembly's independence security bill;

War Loss payment bill;

Dundas and Waterloo Road Macadamization bill;

Agricultural Societies establishment bill;

And Kingston and Napanee Road Macadamization bill, brought up from the Assembly.

Read first time.

Grantham Academy Grant bill, as amended, read third time, and passed.

Amendment signed;

And sent to the Assembly for concurrence.

Freeholders' Bank incorporation bill, brought up from the Assembly.

Read first time.

Amendments to Wellington District erection bill, received.

Read first time.

The amendments.



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Press 14, line 10—After "House," add to the bill, "27. And be it further enacted by the authority aforesaid, That so soon as the said parts of the said Counties of Halton and Simcoe, and other territory aforementioned, shall have been formed and declared a separate and distinct District, by Proclamation as hereinbefore provided, all the townships and territory comprised within the limits of the said intended District, shall form and be called the County of Waterloo, in the said District of Wellington; and the residue of the said County of Halton shall from thenceforth be and remain the County of Halton, in the District of Gore; and the residue of the said County of Simcoe shall from thenceforth be and remain the County of Simcoe."

Read second time, and adopted.

The said amendments being read a second time, and the question of concurrence put on each, they were severally agreed to by the House.

Prescott Bank bill, re-committed.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Prescott Bank."

The Honorable Mr. James Kerby took the Chair.

After some time the House resumed.

Reported, and leave asked to sit again.

The Chairman reported that the Committee had taken the said bill again into consideration, had made some further progress therein, and asked leave to sit again to-morrow.

Leave granted.

Ordered, that the report be received, and leave granted accordingly.

Trent River Navigation Grant bill, re-committed.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act granting to His Majesty a sum of money to be raised by Debenture, for the improvement of the Navigation of the River Trent," and the report of the Select Committee thereon.

The Honorable Mr. Stewart took the Chair.

After some time the House resumed.

Reported, and leave asked to sit again.

The Chairman reported that the Committee had taken the said bill and report into consideration, had made some progress therein, and asked leave to sit again to-morrow.

Leave granted.

Ordered, that the report be received, and leave granted accordingly.

Report of the Select Committee upon Welland Canal Completion bill, presented.

The Honorable Mr. Burnham, from the Select Committee to whom was referred the bill entitled, "An Act to provide for the permanent completion of the Welland Canal, and for other purposes therein mentioned," presented their Report.

Ordered, that it be received; and,

Read.

The same was then read by the Clerk, as follows:

(For the Report—See Appendix G.)

On motion made and seconded; it was,

Ordered, that the last mentioned bill, and the report of the Select Committee thereon, be referred to a Committee of the whole House, to-morrow.

Amendment of the Assembly to Seduction provision bill, read second time.

Pursuant to the order of the day, the amendments of the Commons House of Assembly, made in and to the bill entitled, "An Act to make the remedy in cases of Seduction more effectual, and to render the fathers of illegitimate children liable for their support," were read a second time; and it was,

Ordered, that the House be put into a Committee of the whole, to-morrow, to take the same into consideration.

Amendments of the Assembly to Justice advancement bill, read second time.

Pursuant to the order of the day, the amendments of the Commons House of Assembly, made in and to the bill entitled, "An Act for the further amendment of the Law, and the better advancement of Justice," were read a second time; and it was,

Ordered, that they be referred to a Committee of the whole House, to-morrow.

Ottawa District Assize Court bill, read second time.

Pursuant to the order of the day, the bill entitled, "An Act to authorise His Majesty's Justices to hold Courts of Oyer and Terminer, Assize and Nisi Prius, and General Gaol Delivery, in the Ottawa District," was read a second time; and it was,

Ordered, that the same be referred to a Committee of the whole House, to-morrow.

Petition of Allan McPherson, and others, read.

Pursuant to the order of the day, the petition of Allan McPherson, and others, inhabitants of certain townships in the Midland District, praying that the townships of Tyendinaga and Hungerford may not be separated from the said District, was read.

Motion for dispensing with the 44th rule of the House, as respects Wellington District erection bill; and,

It was moved and seconded, that the forty-fourth Rule of this House be dispensed with as it regards the bill entitled, "An Act erecting certain parts of the Counties of Halton and Sim-

Friday, 10th February, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

coe into a new District, by the name of the District of Wellington," and that the same, as amended, be read a third time, presently. that the same, as amended, be read a third time presently.

In amendment, it was moved and seconded, that the said bill be further amended, as follows:

"And be it further enacted by the authority aforesaid, That notwithstanding any thing in this Act contained to the contrary thereof, it shall and may be lawful for the Governor, Lieutenant Governor, or Person Administering the Government of this Province, as soon after the passing of this Act as he may deem proper, to nominate and appoint three discreet and proper persons having no personal interest therein, to examine the said proposed District of Wellington, in respect of the most fit and proper site or place for the public buildings thereof to be erected and placed, having due regard to the convenience of all parts comprised within the boundaries of the said proposed District, and to report the decision of any two of them, under their hands and seals, to the Governor, Lieutenant Governor, or Person Administering the Government of this Province, who shall, by his Proclamation, declare and appoint the said site or place as the District Town of said proposed District in all times to come, and every matter and thing herein provided as applying to the Town of Guelph, shall thereafter be, and is hereby declared to be, and apply to the said site or place as if particularly mentioned in this Act.

Motion in amendment thereto.

"And be it further enacted by the authority aforesaid, That the said Commissioners, before entering upon the duties assigned to them by this Act, shall take the following oath: 'I, A. B., do solemnly swear that in the discharge of the duties of Commissioner for selecting a fit and proper site or place for the public buildings in the proposed District of Wellington, I shall be guided solely by the general interests of the inhabitants thereof, in so far as the local situation of the said proposed District will permit, according to the best of my knowledge and judgement, and by no other motive or inducement whatsoever; which oath any Magistrate of the District of Gore is hereby authorised and empowered to administer.'"

The question of concurrence was put and carried in the negative; then it was,

Negated.

Moved and seconded, that the said bill be again referred to a Committee of the whole House, to-morrow:

Motion for referring the bill again to a Committee of the whole.

Whereupon the question of concurrence was put, and the same was carried in the negative.

Negated.

The original question then being put, whether the forty-fourth Rule should be dispensed with, and the said bill, as amended, be now read a third time, it was carried in the affirmative; and,

Original question put and carried.

The bill, as amended, was then read a third time accordingly; and,

Bill, as amended, read third time, and passed.

The question being put, whether this bill, as amended, should pass, it was carried in the affirmative:

Whereupon the Speaker signed the amendments; and it was,

Amendments signed:

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill, with certain amendments, to which they desire the concurrence of the Commons House of Assembly.

And sent to the Assembly for concurrence.

On motion made and seconded, the House adjourned until to-morrow, at three of the clock, P. M.

House adjourns.

FRIDAY, 10th FEBRUARY, 1837.

House meets.

The House met pursuant to adjournment.

PRESENT:

*The Honorable* JOHN B. ROBINSON, SPEAKER.

*The Honorable Messrs.* ELMSLEY,

Members present.

*The Honorable* Mr. CROOKSHANK,

" " BALDWIN,

*The Hon. & Ven. The* ARCHDEACON OF YORK,

" " HAMILTON,

*The Honorable Messrs.* ALLAN,

" " ADAMSON,

" " JONES,

" " JAMES KERBY,

" " McDONELL,

" " STEWART.

" " BURNHAM,

Prayers were read.

Saturday, 11th February, 1837.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

	The Minutes of yesterday were read.
Prescott Bank bill, re-committed.	Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Prescott Bank."
	The Honorable Mr. James Kerby took the Chair.
	After some time the House resumed.
Amendment reported.	The Chairman reported that the Committee had gone through the said bill, and had made an amendment thereto, which they recommended to the adoption of the House.
	Ordered, that the report be received; and,
Read first time.	The said amendment was then read by the Clerk, as follows:
The amendment.	Press 11, line 14—After "Province," insert "22. And be it further enacted by the authority aforesaid, That it shall be the duty of the Directors or Cashier of the Bank to allow, during the hours of business, the names of the Stockholders in said Bank, with the amount of Stock respectively owned by them, to be taken by any Stockholder who may require the same."
Read second time, and adopted.	The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House; and it was,
Members enter.	Ordered, that it be engrossed, and the said bill, as amended, read a third time to-morrow. The Honorable Messieurs Wells and Markland, enter.
Trent River Navigation Grant bill, re-committed.	Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act granting to His Majesty a sum of money, to be raised by De-benture, for the improvement of the Navigation of the River Trent," and the report of the Select Committee thereon.
	The Honorable Mr. Stewart took the Chair.
	After some time the House resumed.
Reported.	The Chairman reported that the Committee had gone through the said bill, and recommended the same without any amendment to the adoption of the House.
Adopted.	Ordered, that the report be received, and, Ordered, that the said bill be read a third time to-morrow.
Welland Canal Completion bill, committed.	Pursuant to the order of the day, the House was put into a Committee of the whole, upon bill entitled, "An Act to provide for the permanent completion of the Welland Canal, and for other purposes therein mentioned," and the report of the Select Committee thereon.
	The Honorable Mr. Burnham took the Chair.
	After some time the House resumed.
A Member enters.	The Honorable Mr. Macaulay enters.
Reported, and leave asked to sit again.	The Chairman reported that the Committee had taken the said bill and report into consideration, had made some progress therein, and asked leave to sit again to-morrow.
Leave granted.	Ordered, that the report be received, and leave granted accordingly.
House adjourns.	On motion made and seconded, the House adjourned.

SATURDAY, 11th FEBRUARY, 1837.

House meets. The House met pursuant to adjournment.

PRESENT:

Members present.	<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> BURNHAM,
	<i>The Honorable</i> Mr. CROOKSHANK,	" " BALDWIN,
	<i>The Hon. &amp; Ven.</i> The ARCHDEACON OF YORK,	" " HAMILTON,
	<i>The Honorable Messrs.</i> ALLAN,	" " JAMES KERBY,
	" " JONES,	" " STEWART.

Prayers were read.

The Minutes of yesterday were read.

Prescott bank bill, as amended, read third time, and passed. Pursuant to the order of the day, the bill entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Prescott Bank," was, as amended, read a third time; and,

The question being put, whether this bill, as amended, should pass, it was carried in the affirmative:

Amendment signed: Whereupon the Speaker signed the amendment; and it was,

Saturday, 11th February, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill, with an amendment, to which they desire the concurrence of the Commons House of Assembly.

And sent to the Assembly for concurrence.

Pursuant to the order of the day, the bill entitled, "An Act granting to His Majesty a sum of money, to be raised by Debenture, for the improvement of the Navigation of the River Trent," was read a third time, and passed:

Trent River navigation grant bill, read third time, and passed.

Whereupon the Speaker signed the same; and it was,

Same signed;

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill without any amendment.

And the Assembly acquainted thereof.

The Honorable the Speaker reported to the House, that he had received a communication from the Government Office, announcing the intention of His Excellency the Lieutenant Governor to prorogue the present Session of the Legislature, on Tuesday the twenty-eighth instant.

Speaker reports the receipt of a communication on the subject of the prorogation.

The Honorable Messieurs Elmsley and Macaulay enter.

Members enter.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to provide for the permanent completion of the Welland Canal, and for other purposes therein mentioned," and the report of the Select Committee thereon.

Welland Canal completion bill, re-committed.

The Honorable Mr. Burnham took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said bill, and the report thereon, again into consideration, had made some further progress therein, and asked leave to sit again on Tuesday next.

Reported, and leave asked to sit again.

Ordered, that the report be received, and leave granted accordingly.

Leave granted.

Deputations from the Commons House of Assembly, returned the bill entitled, "An Act erecting certain parts of the Counties of Halton and Simcoe into a new District, by the name of the District of Wellington," and acquainted this House, that the Assembly had acceded to the amendments made by the Legislative Council in and to the same. And they brought up a bill entitled, "An Act granting a sum of money to improve a Harbour in the township of Whitby, in the Home District"; also a bill entitled, "An Act to provide for the improvement of the Highway from Canboro' to Simcoe"; also a bill entitled, "An Act granting a sum of money to the Port Burwell Harbour Company, by way of loan"; also a bill entitled, "An Act to revive and continue for a limited time an Act passed in the third year of His present Majesty's reign entitled, 'An Act to continue an Act passed in the eleventh year of His late Majesty's reign, entitled, "An Act to authorise the Quarter Sessions of the Home District to provide for the relief of insane destitute persons in that District, and to extend the provisions of the same to the other Districts of this Province"; and also a bill entitled, "An Act to afford relief to a religious denomination called 'Christians'—to which they requested the concurrence of this House, and then withdrew.

Amendments to Wellington District erection bill, acceded to by the Assembly.

Whitby Harbour grant bill;

Canboro and Simcoe highway bill; Port Burwell Harbour Company's loan bill; Insane persons relief bill; and,

"Christians" relief bill, brought up from the Assembly.

The said bills were then severally read; and it was,

Read first time.

Ordered, that they be read a second time on Monday next.

Pursuant to the order of the day, the House put into a Committee of the whole, upon the amendments of the Commons House of Assembly, made in and to the bill sent down from this House, entitled, "An Act to make the remedy in cases of Seduction more effectual, and to render the fathers of illegitimate children liable for their support."

Amendments of the Assembly to Seduction provision bill, committed.

The Honorable Mr. Jones took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said amendments into consideration, had made some progress therein, and recommended that a Conference be desired with the Commons House of Assembly on the subject matter thereof.

Reported, and a conference recommended.

Ordered, that the report be received; and,

Ordered, that a Conference be desired with the Commons House of Assembly on the subject matter of their amendments, made in and to the said bill; and,

Same ordered.

Ordered, that the Honorable Messieurs Elmsley and Hamilton be appointed the Conferrees on the part of this House, for that purpose; and,

Conferrees appointed;

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council request a Conference with the Commons House of Assembly on the subject matter of the amendments, made in and to the bill sent down from this House, entitled, "An Act to make the remedy in cases of Seduction more effectual, and to render the

And the Assembly acquainted thereof.

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fathers of illegitimate children liable for their support," and have appointed the Honorable Messieurs Elmsley and Hamilton to be the Conferrees on the part of this House, who will be ready to meet a Committee on the part of the Commons House of Assembly, on Tuesday next, at the hour of three of the clock, P. M., in the Committee room of the Legislative Council, for that purpose.

Grantham Academy loan bill, brought up from the Assembly.

A Deputation from the Commons House of Assembly brought up a bill entitled, "An Act granting pecuniary aid to the Grantham Academy, by way of loan," to which they requested the concurrence of this House, and then withdrew.

Read first time.

The said bill was then read; and it was,

Ordered, that the same be read a second time on Monday next.

Amendments of the Assembly to Justice advancement bill, committed.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the amendments of the Commons House of Assembly, made in and to the bill sent down from this House, entitled, "An Act for the further amendment of the Law, and the better advancement of Justice."

The Honorable Mr. Allan took the Chair.

After some time the House resumed.

Reported, and a conference recommended.

The Chairman reported that the Committee had taken the said amendments into consideration, had made some progress therein, and recommended that a Conference be desired with the Commons House of Assembly on the subject matter thereof.

Ordered, that the report be received; and,

Same ordered.

Ordered, that a Conference be desired with the Commons House of Assembly on the subject matter of their amendments, made in and to the said bill; and,

Conferrees appointed;

Ordered, that the Honorable Messieurs Burnham and Baldwin be appointed the Conferrees on the part of this House, for that purpose; and,

And the Assembly acquainted thereof.

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council request a Conference with the Commons House of Assembly on the subject matter of the amendments, made in and to the bill sent down from this House, entitled, "An Act for the further amendment of the Law, and the better advancement of Justice," and have appointed the Honorable Messieurs Burnham and Baldwin to be the Conferrees on the part of this House, who will be ready to meet a Committee on the part of the Commons House of Assembly, on Tuesday next, at the hour of four of the clock, P. M., in the Committee room of the Legislative Council, for that purpose.

Ottawa District Assize Court bill, committed.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to authorise His Majesty's Justices to hold Courts of Oyer and Terminer, Assize and Nisi Prius, and General Gaol Delivery, in the Ottawa District."

The Honorable Mr. James Kerby took the Chair.

After some time the House resumed.

Amendments reported.

The Chairman reported that the Committee had gone through the said bill, and had made some amendments thereto, which they recommended to the adoption of the House.

Ordered, that the report be received on Monday next.

Chancery Court establishment bill;

District Funds regulation bill;

Assembly's independence security bill;

War Loss payment bill; and

Agricultural Societies establishment bill, read second time.

Pursuant to the order of the day, the bill entitled, "An Act to establish a Court of Chancery in this Province;" also the bill entitled, "An Act to regulate the expenditure of the District Funds within this Province;" also the bill entitled, "An Act to secure the independence of the Commons House of Assembly of this Province, and for other purposes therein mentioned;" also the bill entitled, "An Act to authorise the payment of a certain portion of the War Losses;" and also the bill entitled, "An Act to establish Agricultural Societies, and to encourage Agriculture in the several Districts of this Province;" were severally read a second time; and it was,

Ordered, that the House be put into Committees of the whole, on Monday next, to take the same into consideration.

Dundas and Waterloo Road Macadamization bill, read second time;

Pursuant to the order of the day, the bill entitled, "An Act to authorise the construction of a Macadamized Road from Dundas to Waterloo, in the Gore District;" was read a second time; and it was,

And referred to a Select Committee.

Ordered, that the same be referred to a Select Committee to report thereon by amendment or otherwise; and,

Members composing same.

Ordered, that the Honorable Messieurs Burnham and Baldwin do compose the same, for that purpose.

Kingston and Napanee Road Macadamization bill, read second time;

Pursuant to the order of the day, the bill entitled, "An Act to raise a sum of money to Macadamize the Road between the Town of Kingston and the Village of Napanee, in the

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Midland District, and for other purposes therein mentioned," was read a second time; and it was,

Ordered, that the same be referred to a Select Committee, to report thereon; and,

And referred to a Select Committee.  
Members composing same.

Ordered, that the Honorable Messieurs James Kerby and Macaulay, do compose the same for that purpose.

Pursuant to the order of the day, the bill entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Freeholders' Bank of Upper Canada," was read a second time; and it was,

Freeholders' Bank incorporation bill, read second time;

Ordered, that the same be referred to a Select Committee, to report thereon by amendment or otherwise; and,

And referred to a Select Committee.

Ordered, the Honorable Messieurs Jones, Elnsley and Stewart, do compose the same for that purpose.

Members composing same.

On motion made and seconded; it was,

Ordered, that the Honorable Mr. Baldwin be added to the Select Committee to whom was referred the bill entitled, "An Act to authorise the erection of the County of Hastings into a separate District."

A Member added to the Select Committee upon Hastings division bill.

The Honorable Mr. Baldwin from the last mentioned Select Committee, presented their Report.

Report upon the last mentioned bill, presented.

Ordered, that it be received; and,

The same was then read by the Clerk, as follows:

Read.

The Select Committee to whom was referred the bill entitled, "An Act to authorise the erection of the County of Hastings into a separate District," beg leave to report:

The Report.

That they have prepared certain amendments to the said bill, conformably to the directions of the House, which they now present for consideration.

All which is respectfully submitted,

(Signed) A. BALDWIN,  
CHAIRMAN.

*Legislative Council, Committee Room,*

February, 1837.

Press 15.—Add the following section, "And be it further enacted by the authority aforesaid, That so soon as the said County of Hastings shall be declared a separate and distinct District, in the manner hereinbefore directed, the townships of Murray and Seymour, together with such Islands as lie wholly or in greater part opposite thereto, shall from thenceforth be and form part of the said District under the authority of this Act.

"Provided always, and be it further enacted by the authority aforesaid, That there shall be paid by the Treasurer of the said intended District to be formed as aforesaid, to the Treasurer of the District of Newcastle, a just proportion of the debt which may be due by the said District of Newcastle at the time of the making of the proclamation as hereinbefore provided, and which shall be ascertained and determined by the Magistrates of the said District of Newcastle, at the General Quarter Sessions of the Peace to be holden in the said District, next after the time of making the said proclamation, reference being duly had to the population and assessments of the said townships of Murray and Seymour, in comparison with the population and assessments of the residue of the said District of Newcastle during the three previous years."

Add to the bill—"28. And be it further enacted by the authority aforesaid, That this Act shall not take effect until provision shall be made by law for increasing the number of Judges in His Majesty's Court of King's Bench in this Province, and for defraying such contingent charges of the circuits, in respect to the new District intended to be formed by this Act, as were accustomed to be paid before the surrender by the Crown of the duties levied under a certain Act of the Parliament of Great Britain, passed in the fourteenth year of the reign of His late Majesty King George the Third, entitled, "An Act to establish a fund towards further defraying the charges of the administration of Justice and support of

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the Civil Government within the Province of Quebec in America, nor until provision has been made by law for securing the payment by the County of Hastings, of a just proportion of the debt contracted on the credit of the Midland District for building the Gaol and Court House."

On motion made and seconded; it was,

Ordered, that the last-mentioned bill, and the report of the Select Committee thereon, be referred to a Committee of the whole House, on Monday next.

On motion made and seconded; it was,

Ordered, that the Honorable Mr. Macaulay be added to the Select Committee to whom was referred the bill entitled, "An Act to define the limits of the Town of Picton, in the District of Prince Edward, and to establish a Police therein."

On motion made and seconded, the House adjourned until Monday next, at the hour of three clock, P.M.

MONDAY, 13th FEBRUARY, 1837.

The House met pursuant to adjournment.

PRESENT:

Members present.	<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> BALDWIN,
	<i>The Honorable Messrs.</i> CROOKSHANK,	" " HAMILTON,
	" " ALLAN,	" " JAMES KERBY,
	" " JONES,	" " STEWART,
	" " BURNHAM,	" " MACAULAY.
	" " ELMSLEY,	

Prayers were read.

The Minutes of Saturday last were read.

To the bill passed on Saturday last, entitled, "An Act granting to His Majesty a sum of money, to be raised by Debenture, for the improvement of the Navigation of the River Trent":

DISSENTIENT,

Because, however desirable the improvement may be which it is the object of this measure to accomplish, I do not believe that the finances of the Province are in such a state as can warrant our commencing a new undertaking of this magnitude.

The works that are now in progress must necessarily be completed; they are on a scale highly creditable to the character of this Colony, and were undertaken at so early a period, and upon such slender resources, that I doubt whether any Country has afforded an example of an equal effort.

But it is necessary in my opinion, to observe moderation and method, even in the cause of public improvements, or the Province may be involved in embarrassments from which it will be found difficult to escape with credit.

It cannot be expected that in a Colony chiefly Agricultural, with a very moderate revenue, and with a population not generally wealthy, all the great works necessary for the full development of its resources can be accomplished at once, and before engaging in a third great work such as that proposed, it would in my opinion, be prudent to wait until the Saint Lawrence Navigation and the Welland Canal shall be finished and in use, so that they may be yielding a return to the revenue which might make it safe to incur an addition to the public debt.

(Signed) JOHN B. ROBINSON.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to establish a Court of Chancery in this Province."

The Honorable Mr. Crookshank took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said bill into consideration, had made some progress therein, and asked leave to sit again to-morrow.

Ordered, that the report be received, and leave granted accordingly.

Deputations from the Commons House of Assembly returned the bill entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Prescott Bank," and acquainted this House, that the Commons House of Assembly had acceded to the amendments made by the Legislative Council in and to the same.—

A Member added to the Select Committee upon Picton Police establishment bill.

House adjourns.

House meets.

Protest of the Hon. the Speaker, against the passing of Trent River navigation grant bill.

Chancery Court establishment bill, committed.

Reported, and leave asked to sit again.

Leave granted.

Amendments to Prescott bank bill, acceded to by the Assembly.

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SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

And they brought up and delivered at the Bar of this House, three Messages in the following words, and then withdrew: Messages from the Assembly.

MR. SPEAKER,

The Commons House of Assembly accede to the request of the Honorable the Legislative Council for a Conference, on the subject matter of the amendment made by this House in and to the bill entitled, "An Act to make the remedy in cases of Seduction more effectual, and to render the fathers of illegitimate children liable for their support," and have appointed a Committee of four of their Members, who will be ready to meet the Committee of the Honorable the Legislative Council at the time and place appointed. Acceding to a conference with this House upon the amendment to Seduction provision bill.

(Signed) ARCHIBALD McLEAN,  
SPEAKER.

*Commons House of Assembly,*  
11th day of February, 1837.

MR. SPEAKER,

The Commons House of Assembly have acceded to the request of the Honorable the Legislative Council for a Conference, on the subject matter of the amendments made by this House in and to the bill entitled, "An Act for the further amendment of the Law, and the better advancement of Justice," and have appointed a Committee of four of their Members, who will be ready to meet the Conferrees on the part of the Honorable the Legislative Council at the time and place appointed. Acceding to a conference with this House upon the amendments to Justice advancement bill.

(Signed) ARCHIBALD McLEAN,  
SPEAKER.

*Commons House of Assembly,*  
11th day of February, 1837.

MR. SPEAKER,

The Commons House of Assembly have adopted an Address to His Majesty, founded on the Resolutions of the two Houses, upon the subject of the Despatch upon the Currency, and communicate the same to the Honorable the Legislative Council for their concurrence therein. Communicating an Address to the King, on the local currency, for concurrence.

(Signed) ARCHIBALD McLEAN,  
SPEAKER.

*Commons House of Assembly,*  
11th day of February, 1837.

The Joint Address to the King was then read by the Clerk, as follows:

(For the Address—See Appendix H.)

On motion made and seconded; it was,

Ordered, that the last mentioned Address be referred to a Committee of the whole House, to-morrow.

On motion made and seconded; it was,

Ordered, that the Committee of Conference, on the part of this House, on the subject matter of the amendments made by the Commons House of Assembly, in and to the bill sent down from this House, entitled, "An Act to make the remedy in cases of Seduction more effectual, and to render the fathers of illegitimate children liable for their support," be instructed to represent that the Legislative Council have requested this Conference in the hope of prevailing with the House of Assembly, to withdraw the amendment made by them to the bill sent from the Legislative Council, entitled, "An Act to make the remedy in cases of Seduction more effectual, and to render the fathers of illegitimate children liable for their support." Instructions to the Committee of Conference upon the amendments of the Assembly to Seduction provision bill.

And to that end they beg respectfully to state that one of the objects which they had in view in passing this bill, was to remedy what they believe to be a striking defect in the existing law, which allows no remedy to a parent for the seduction of his daughter, unless she was living in his family at the time of such seduction.

The amendment made by the House of Assembly, is intended to prevent any alteration of the law in this respect, where the defendant, in an action for seduction, shall be the person in whose service the female was living at the time of the injury complained of.

The Legislative Council has reason to believe that cases have occurred in this Province of an aggravated nature, where the child of poor but honest parents has been seduced while on



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service, by the very person who ought to have been her protector, and they cannot but think that it adds to the cruelty of the injury, and brings some reproach upon our laws, when it is found that in such a case no redress can be obtained, and that no punishment falls where it is so justly due.

The Legislative Council thinks it probable that the amendment has been suggested by an apprehension that interested motives might, in some cases, prompt a female of indifferent character to bring an unfounded charge against the master in whose service she had been living. It is true, the remedy is open to that possible abuse, but there is no department of the administration of justice in which corrupt perjury can be effectually guarded against, or in which motives for perjury may not be readily supplied, and the Legislative Council, with much deference, submits to the consideration of the Assembly whether, as the pecuniary interest in this case is not direct, the parent, and not the daughter, being the plaintiff in the action, it is not better to incur in this case, as in others, the risque of a possible attempt at the abuse of the remedy, than to deny a remedy altogether; and they beg further to observe, that the amendment appears to stand in a great measure opposed to the first clause of the bill, and the reason of it being unexplained, it may be thought to countenance in masters that misconduct which it is the object of the bill to prevent.

On motion made and seconded; it was,

Instructions to the Committee of Conference, upon the Amendments of the Assembly to Justice advancement bill.

Ordered, that the Committee of Conference on the part of this House, on the subject matter of the amendments made by the Commons House of Assembly, in and to the bill sent down from this House, entitled, "An Act for the further amendment of the Law, and the better advancement of Justice," be instructed to represent that the Legislative Council has requested this Conference with the House of Assembly upon the amendments made by them to the bill sent from the Legislative Council, entitled, "An Act for the further amendment of the Law, and the better advancement of Justice," for the purpose of representing that in that clause of the bill which restrains Sheriffs from charging poundage in certain cases, it was the object of the Council to prevent any claim to poundage being urged, when either the real or personal property of the debtor has been merely advertised, or seized and not sold, as they deem it more reasonable that the Court should, in such cases, have a discretionary power to award a fair compensation for the service rendered, and responsibility incurred. In many parts of this Province, and particularly in Towns, the property of debtors not unfrequently consists of leasehold property, and it appears to the Legislative Council as necessary to place the law on a just footing in this particular, with regard to such property, as with respect to real estate; and besides, the Legislative Council have a further ground for hesitation in concurring in this amendment, as the bill, if passed in that shape, might seem to warrant a claim for poundage in some cases where it probably could not be legally sustained at present.

The Legislative Council beg leave further respectfully to urge in reference to the last amendment made by the Assembly, that the new clause proposed to be added would make a change in the practice of the law of an extensive character, and that would lead, in the opinion of the Council, to very inconvenient consequences. As the law has always hitherto stood in this Province, a Defendant when sued in the Court of King's Bench can only be called upon to defend himself by filing the necessary papers and taking the necessary steps, either in the Crown Office at Toronto, where the Court sits, or in the Office of the Deputy Clerk of the Crown in that District in which he has been served with process. Under the alteration proposed by this clause, the Plaintiff will have an option to make a Defendant conduct his defence in any District that he pleases, however remote from his residence. Thus a Plaintiff residing in Cornwall may compel a Defendant who has been served with a process in the Western District, to conduct his defence and watch the Plaintiff's proceedings in the Crown Office in Cornwall, although he may know no Attorney there, and probably can find no Attorney residing at Sandwich who has an Agent at Cornwall.

At present every Attorney must have an Agent living at Toronto, to attend to proceedings there, but if the law were to be changed as proposed, it would be necessary for him also to have an agent in every other District of the Province, and the effect of such a provision would be to enable a Merchant in Montreal to place debts for collection in the hands of an Attorney in the Eastern or Midland District, and debtors residing at Sandwich, London or Niagara, must defend themselves by watching proceedings in a Deputy Clerk of the Crown's Office, at Cornwall or Kingston.

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It is further to be observed, that the time now allowed by law for taking the several steps in a cause would prove by no means sufficient. Under such a system of practice, a defendant served with a demand of plea at one extremity of the Province, may within eight days, file his plea at Toronto, which is a central point, but in many cases, he could not file it in a Deputy's Office at the other extremity of the Province, especially if he were resident in the interior of the country.

For these reasons, the Legislative Council trusts that the House of Assembly may not think fit to insist on this amendment forming part of the bill.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to regulate the expenditure of the District Funds within this Province."

District Funds regulation bill, committed.

The Honorable Mr. Baldwin took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and had made an amendment thereto, which they recommended to the adoption of the House.

Amendment reported.

Ordered, that the report be received; and,

The said amendment was then read by the Clerk, as follows:

Read first time.

Press 2, line 5.—After "that" insert "all sums necessary to defray the expenses of the custody and maintenance of Prisoners, and the accounts of"

The amendment.

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House; and it was,

Read second time, and adopted.

Ordered, that the same be engrossed, and the said bill, as amended, read a third time to-morrow.

The Honorable Mr. Burnham, from the Select Committee to whom was referred the bill entitled, "An Act to authorise the construction of a Macadamized Road from Dundas to Waterloo, in the Gore District," presented their report.

Report of the Select Committee upon Dundas and Waterloo Road Macadamization bill, presented.

Ordered, that it be received; and,

The same was then read by the Clerk, as follows:

Read.

The Select Committee to which was referred the bill entitled, "An Act to construct a Macadamized Road from Dundas to Waterloo, in the Gore District," beg leave to report:

The Report.

That they have examined the provisions of this bill, and find them agree in substance with those contained in the Act passed last Session for continuing the improvement of certain Roads in the Home District.

The sum of twenty-five thousand pounds is proposed to be raised by Debentures, for a Macadamized Road from Dundas to Waterloo, in the Gore District, and the interest thereon to be paid out of the tolls raised on the said Road. Your Committee have ascertained that the rules of the House have been complied with, by a petition presented on the 30th of November, and notice given in the Gazette on the 29th of September last; and your Committee therefore recommend the bill, without amendment, for the adoption of the House.

All which is respectfully submitted.

(Signed)

Z. BURNHAM,

CHAIRMAN.

*Legislative Council, Committee Room,*

Thirteenth February, 1837.

On motion made and seconded; it was,

Ordered, that the last mentioned bill, and the report of the Select Committee thereon, be referred to a Committee of the whole House to-morrow.

The Honorable Mr. James Kerby, from the Select Committee to whom was referred the bill entitled, "An Act to raise a sum of money to Macadamize the Road between the Town of Kingston and the Village of Napanee, in the Midland District, and for other purposes therein mentioned," presented their report.

Report upon Kingston and Napanee Road Macadamization bill, presented.

Ordered, that it be received; and,

The same was then read by the Clerk, as follows:

Read.

The Select Committee to which has been referred the bill entitled, "An Act to raise a sum of money to Macadamize the Road between the Town of Kingston and the Village of Napanee, in the Midland District, and for other purposes therein mentioned," beg leave to report:

The Report.

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That they have examined the provisions of this bill; and find them in all respects similar to those contained in the Act passed last Session for continuing the improvement of certain roads in the Home District.

The sum of thirty thousand pounds is proposed to be raised by Debentures, for the construction of the Macadamized road between Kingston and Napance; and the repayment within thirty years appears to be well secured.

Your Committee have ascertained that the Rules of the House have been duly complied with in the present case, and they recommend the bill without amendment for the adoption of the House.

All which is respectfully submitted,

(Signed)

JAMES KERBY,

CHAIRMAN.

Legislative Council, Committee Room,

Thirteenth February, 1837.

On motion made and seconded; it was,

Ordered, that the last-mentioned bill, and the report of the Select Committee thereon, be referred to a Committee of the whole House, to-morrow.

House adjourns.

On motion made and seconded, the House adjourned until to-morrow, at three of the clock, P.M.

TUESDAY, 14th FEBRUARY, 1837.

House meets.

The House met pursuant to adjournment.

PRESENT:

Members present.

The Honorable JOHN B. ROBINSON, SPEAKER.

The Honorable Mr. CROOKSHANK,

The Hon. & Ven. The ARCHDEACON OF YORK,

The Honorable Messrs. WELLS,

" " ALLAN,

" " JONES,

" " McDONELL,

The Honorable Messrs. BURNHAM,

" " ELMSLEY,

" " BALDWIN,

" " HAMILTON,

" " JAMES KERBY,

" " STEWART.

Prayers were read.

The Minutes of yesterday were read.

District Funds regulation bill, as amended, read third time, and passed.

Pursuant to the order of the day, the bill entitled, "An Act to regulate the expenditure of the District funds within this Province," was, as amended, read a third time; and,

The question being put, whether this bill, as amended, should pass, it was carried in the affirmative:

Amendment signed;

Whereupon the Speaker signed the amendment; and it was,

And sent to the Assembly for concurrence.

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill, with an amendment, to which they desire the concurrence of the Commons House of Assembly.

Assembly's independence security bill, committed.

Pursuant to the order of the day, the House put into a Committee of the whole, upon the bill entitled, "An Act to secure the independence of the Commons House of Assembly of this Province, and for other purposes therein mentioned."

The Honorable Mr. Stewart took the Chair.

After some time the House resumed.

Reported.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Adopted.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time to-morrow.

Messages from His Excellency the Lieutenant Governor:

Several Messages from His Excellency the Lieutenant Governor, were delivered by Mr. Secretary Joseph, who being retired, the Speaker read the same; and they were again read by the Clerk, as follows:

On the subject of the partial failure of crops in the Canadas, and the exportation of grain from this Province.

F. B. HEAD.

The Lieutenant Governor informs the Legislative Council, that his attention has been seriously called to the scarcity which it is apprehended will take place previous to the next

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harvest, in consequence of the partial failure of the crops in the Canadas, as also in the United States; and to the extensive exportation of grain from this Province.

The Lieutenant Governor feels it is only necessary to mention this subject to the Legislative Council, to ensure its most serious consideration.

*Government House,*

14th February, 1837.

F. B. HEAD.

The Lieutenant Governor transmits for the information of the Legislative Council, the Report of the Trustees appointed by an Act of the Provincial Parliament, passed in the sixth year of His Majesty's reign, for continuing the Macadamization and improvements upon the Road leading eastward and northward from Toronto.

Transmitting a report of the Trustees for Macadamizing certain roads in the vicinity of Toronto.

*Government House,*

14th February, 1837.

F. B. HEAD.

The Lieutenant Governor transmits for the information of the Legislative Council, the accompanying Report and Vouchers, received from the Commissioners appointed to superintend the erection of the Light House on the Island of Bois Blanc, near Amherstburgh, shewing the receipts and disbursements on account of that establishment.

Transmitting the report of the Commissioners for erecting Bois Blanc Light-house.

*Government House,*

14th February, 1837.

F. B. HEAD.

The Lieutenant Governor transmits for the information of the Legislative Council, the accompanying Report from the Saint Lawrence Inland Marine Assurance Company, for the year 1836.

Transmitting the report of the Saint Lawrence Inland Marine Assurance Company.

*Government House,*

14th February, 1837.

(For the Message of His Excellency the Lieutenant Governor, on the subject of the Casual and Territorial Revenue—See Appendix I.)

On the subject of the Casual and Territorial Revenue.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to authorise the payment of a certain portion of the War Losses."

War Loss payment bill, committed.

The Honorable Mr. Wells took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Reported.

Ordered, that the report be received; and,

Adopted.

Ordered, that the said bill be read a third time to-morrow.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to establish Agricultural Societies, and to encourage Agriculture in the several Districts of this Province."

Agricultural Societies establishment bill, committed.

The Honorable Mr. Jones took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Reported.

Ordered, that the report be received; and,

Adopted.

Ordered, that the said bill be read a third time to-morrow.

The Honorable Mr. Macaulay enters.

A Member enters.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to authorise the erection of the County of Hastings into a separate District," and the second report of the Select Committee thereon.

Hastings division bill, re-committed.

The Honorable Mr. Hamilton took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and had made an amendment thereto, which they recommended to the adoption of the House.

Amendment reported.

Ordered, that the report be received; and,

The said amendment was then read by the Clerk, as follows:

Read first time.

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The amendment.

Add to the bill—"28. And be it further enacted by the authority aforesaid, That this Act shall not take effect until provision shall be made by law for increasing the number of Judges in His Majesty's Court of King's Bench in this Province, and for defraying such contingent charges of the circuits, in respect to the new District intended to be formed by this Act, as were accustomed to be paid before the surrender by the Crown of the duties levied under a certain Act of the Parliament of Great Britain, passed in the fourteenth year of the reign of His late Majesty King George the Third, entitled, 'An Act to establish a fund towards further defraying the charges of the administration of Justice and support of the Civil Government within the Province of Quebec, in America, nor until provision has been made by law for securing the payment by the County of Hastings of a just portion of the debt contracted on the credit of the Midland District, for building the Gaol and Court House."

Read second time, and adopted.

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House; and it was,

Ordered, that it be engrossed, and the said bill, as amended, read a third time tomorrow.

Petition of Farmers' Banking Company brought up.

The Honorable Mr. Jones brought up the petition of the Directors of the Farmers' Joint Stock Banking Company; which was laid on the table.

Report of the Select Committee upon Goderich Harbour erection bill, presented.

The Honorable Mr. Jones, from the Select Committee to whom was referred the bill entitled, "An Act to enable the Canada Company to erect a Harbour at Goderich, on Lake Huron," presented their Report.

Ordered, that it be received; and,

Read.

The same was then read by the Clerk, as follows:

The Report.

The Select Committee to whom was referred the bill sent up from the Commons House of Assembly, entitled, "An Act to enable the Canada Company to erect a Harbour at Goderich, on Lake Huron," have taken the subject matter thereof into their consideration, and after availing themselves of all the information which they considered necessary for a fair understanding thereof, they beg leave to report as follows:

Your Committee called on the Honorable William Allan, one of the Canada Commissioners, residing in this City, who stated as follows, viz.:—That the Company have made one hundred miles of road, superior to any in the Province; they have built bridges, &c. at a cost of £26,274 10 0, for which they have submitted the vouchers and received credit from the Government. They have submitted an estimate for making 38 miles more, amounting to £3,058 8 0, which, with £100 towards a Church at Guelph, makes a total of £29,426 18 0; this is without including £3000 which they have laid out for the improvement at Goderich Harbour, consequently, they have only now £18,920 10 4 to be laid out in improvements of roads, &c.

Your Committee were furnished with a petition presented to the House of Assembly in 1835, with about 750 names appended thereto, among which are included the names of a very considerable portion of the inhabitants of the Huron Settlement, who express an ardent desire that the Canada Company may be authorised to construct a Harbour at Goderich, on such terms as the Legislature shall deem fit.

Your Committee called before them, Captain Dunlop, M. P. P., and ——— Taylor, Esquire, inhabitants of Goderich, and A. Shade, Esquire, M. P. P., who stated that a well-constructed Harbour is much wanted at Goderich; that it would highly conduce to the interests and prosperity of the inhabitants, and greatly facilitate the navigation of Lake Huron; that a very considerable portion of the inhabitants of the Huron Tract signed the petition of 1835, to the House of Assembly; that it was then, and still continues to be, a popular measure; and that they are of opinion it would be more to "the benefit of His Majesty's Subjects, resident within that part of the Province of Upper Canada," to authorise the Canada Company to construct the said Harbour by means of their own private funds, with power to collect reasonable Tolls for their remuneration, rather than to draw upon the fund reserved for improvement; which fund they conceive may be expended to a greater advantage in the making of good roads, &c. &c., in the interior of the settlement.

Some doubts having been expressed, whether the Canada Company can legitimately apply any part of this fund to the construction of a Harbour, your Committee, on referring to

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the third clause of an arrangement made between Earl Bathurst and the Canada Company, on the 23rd May, 1826, are quite satisfied that the Canada Company, by any thing like a fair interpretation of the clause aforesaid, have a perfect right to do so.

It appears by the Honorable William Allan's statement, that after deducting from the reserved fund the expense of improvements already made, and those contemplated to be made immediately, there will remain a balance of only £18,000 or £19,000 to be expended.

It also appears by the evidence of Messieurs Dunlop, Shade and Taylor, that it is the desire of the inhabitants, and that, in their opinion, it will be more to their benefit, to grant the Company authority to make the Harbour out of private funds.

Your Committee, taking into consideration the smallness of the balance remaining for improvements, and the desire and best interests of the people most concerned, have come to the conclusion of respectfully recommending to your Honorable House the adoption of the said bill, with some trifling amendments in respect to Harbour dues, viz.: two items which authorize nine pence per barrel bulk to be taken by the Company, to be struck out, and salt per barrel, three pence, to be inserted.

All which is respectfully submitted,

(Signed) CHARLES JONES,  
CHAIRMAN.

*Legislative Council, Committee Room,*

14th February, 1837.

On motion made and seconded; it was,

Ordered, that the last mentioned bill, and the report of the Select Committee thereon, be referred to a Committee of the whole House, to-morrow.

The Honorable Mr. Hamilton brought up the petition of Robert E. Burns, and others, inhabitants of the District of Niagara; which was laid on the table.

The Honorable Mr. Baldwin, from the Select Committee to whom was referred the bill entitled, "An Act to incorporate sundry persons under the style and title of the Beverley Navigation Company," presented their Report.

Ordered, that it be received; and,

The same was then read by the Clerk, as follows:

The Select Committee to whom was referred the bill sent up from the Commons House of Assembly, entitled, "An Act to incorporate sundry persons under the style and title of the Beverley Navigation Company," beg leave to report:

That they have examined the said bill, and compared it with other bills for a similar purpose, and find in their provisions they mainly agree. There is, however, no clause to prohibit the Company from carrying on the business of Banking.

Your Committee, viewing this contemplated work as an arm of that fine navigable water, the Rideau Canal, and as the Company ask no pecuniary aid, feel it their duty to recommend the bill to the favourable consideration of your Honorable House.

All which is respectfully submitted,

(Signed) A. BALDWIN,  
CHAIRMAN.

*Legislative Council, Committee Room,*

14th February, 1837.

On motion made and seconded; it was,

Ordered, that the last mentioned bill, and the report of the Select Committee thereon, be referred to a Committee of the whole House, to-morrow.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to provide for the permanent completion of the Welland Canal, and for other purposes therein mentioned," and the second report of the Select Committee thereon.

The Honorable Mr. Burnham took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Ordered, that the report be received; and,

Petition of Robert E. Burns, and others, brought up.

Report of the Select Committee upon Beverley Navigation Company's incorporation bill, presented.

Read.

The Report.

Welland Canal Completion bill, re-committed.

Reported.

Adopted.

Wednesday, 15th February, 1837.

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Ordered, that the said bill be read a third time to-morrow.

House adjourns.

On motion made and seconded, the House adjourned until to-morrow, at the hour of three of the clock, P. M.

WEDNESDAY, 15th FEBRUARY, 1837.

House meets.

The House met pursuant to adjournment.

PRESENT :

Members present.	<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> ELMSLEY,
	<i>The Honorable Messrs.</i> CROOKSHANK,	" " BALDWIN,
	" " MARKLAND,	" " HAMILTON,
	" " ALLAN,	" " JAMES KERBY,
	" " JONES,	" " STEWART,
	" " BURNHAM,	" " MACAULAY.

Prayers were read.

The Minutes of yesterday were read.

Assembly's independence security bill;

Pursuant to the order of the day, the bill entitled, "An Act better to secure the independence of the Commons House of Assembly of this Province, and for other purposes therein mentioned;" also the bill entitled, "An Act to authorise the payment of a certain portion of the War Losses;" also the bill entitled, "An Act to establish Agricultural Societies, and to encourage Agriculture in the several Districts of this Province;" and also bill entitled, "An Act to provide for the permanent completion of the Welland Canal, and for other purposes therein mentioned;" were severally read a third time, and passed:

War Loss payment bill;

Agricultural Societies establishment bill; and Welland Canal completion bill, read third time, and passed.

Same signed;

Whereupon the Speaker signed the same; and it was,

And the Assembly acquainted thereof.

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed these bills without any amendment.

Hastings division bill, as amended, read third time, but not passed;

Pursuant to the order of the day, the bill entitled, "An Act to authorise the erection of the County of Hastings into a separate District," was, as amended, read a third time; and it was,

And ordered to be again referred to a Committee of the whole.

Ordered, that the said bill, as amended, do not now pass, but that the same be again referred to a Committee of the whole House, to-morrow.

Chancery Court establishment bill, re-committed.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to establish a Court of Chancery in this Province."

The Honorable Mr. Crookshank took the Chair.

After some time the House resumed.

Reported; and,

The Chairman reported that the Committee had taken the said bill again into consideration, had made some further progress therein, and recommended that it be referred to a Select Committee, with power to send for persons and papers, and to report thereon by amendment or otherwise.

Ordered, that the report be received; and,

Referred to a Select Committee.

Ordered, that the said bill be referred to a Select Committee, with power to send for persons and papers, and to report thereon by amendment or otherwise; and,

Members composing same.

Ordered, that the Honorable Messieurs Jones, Elmsley, Hamilton and Macaulay, do compose the same for that purpose.

Address of the Assembly to the King, on the local currency, committed.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the Address of the Commons House of Assembly to the King, on the subject of the Local Currency.

The Honorable Mr. Macaulay took the Chair.

After some time the House resumed.

Reported.

The Chairman reported that the Committee had gone through the said Address, and recommended the same to the adoption of the House.

Adopted.

Ordered, that the report be received; and,

Ordered, that the said Address be read a third time to-morrow.

Committee appointed to present an Address of thanks to His Excellency, for the Messages of yesterday. Members composing same.

Ordered, that an Address be presented to His Excellency the Lieutenant Governor, respectfully thanking him for his several Messages received yesterday, and assuring him that this House will not fail to give the subjects therein referred to their most serious consideration; and,

Ordered, that the Honorable Messieurs Elmsley and Hamilton do present the same.

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Deputations from the Commons House of Assembly brought up a bill entitled, "An Act to entitle Foreigners to hold Real Estate in this Province, upon the conditions therein mentioned"; also a bill entitled, "An Act to increase the Capital Stock of the Bank of Upper Canada, and to alter and amend the Charter thereof; and also to increase the Capital Stock of the Commercial Bank of the Midland District, and for other purposes therein mentioned"; also a bill entitled, "An Act granting a further sum of money for completing the Macadamization of Yonge Street and other Roads in the Home District"; and also a bill entitled, "An Act to incorporate certain persons under the style and title of the President, Directors and Company, of the Fort Erie Canal Company," to which they requested the concurrence of this House, and then withdrew.

The said bills were then severally read; and it was,

Ordered, that they be read a second time to-morrow.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to authorise the construction of a Macadamized Road from Dundas to Waterloo, in the Gore District," and the report of the Select Committee thereon.

The Honorable Mr. Elmsley took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time to-morrow.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon bill entitled, "An Act to raise a sum of money to Macadamize the Road between the Town of Kingston and the Village of Napance, in the Midland District, and for other purposes therein mentioned," and the report of the Select Committee thereon.

The Honorable Mr. Macaulay took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time to-morrow.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to enable the Canada Company to erect a Harbour at Goderich, on Lake Huron," and the report of the Select Committee thereon.

The Honorable Mr. Baldwin took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time to-morrow.

Pursuant to the order of the day, the bill entitled, "An Act granting a sum of money to improve a Harbour in the township of Whitby, in the Home District;" also the bill entitled, "An Act to provide for the improvement of the Highway from Canboro' to Simcoe;" also the bill entitled, "An Act granting a sum of money to the Port Burwell Harbour Company, by way of loan;" also the bill entitled, "An Act to revive and continue for a limited time, an Act passed in the third year of His present Majesty's reign, entitled, 'An Act to continue an Act passed in the eleventh year of His late Majesty's reign, entitled, 'An Act to authorise the Quarter Sessions of the Home District to provide for the relief of insane destitute persons in that District, and to extend the provisions of the same to the other Districts of this Province;" and also the bill entitled, "An Act granting pecuniary aid to the Grantham Academy;" were severally read a second time; and it was,

Ordered, that the House be put into Committees of the whole, to-morrow, to take the same into consideration.

Pursuant to the order of the day, the bill entitled, "An Act to afford relief to a religious denomination called 'Christians,'" was read a second time.

The Honorable Mr. Elmsley, from the Select Committee to whom was referred the bill entitled, "An Act to compel Vessels to carry a light during the night, and to make sundry provisions to regulate the navigation of the waters of this Province," presented their Report.

Foreigners' real estate bill;

Upper Canada and Commercial Banks increase stock bill; Yonge Street and other roads Macadamization further grant bill; and,

Fort Erie Canal Company's incorporation bill, brought up from the Assembly.

Read first time.

Dundas and Waterloo Macadamization bill, committed.

Reported.

Adopted.

Kingston and Napance road Macadamization bill, committed.

Reported.

Adopted.

Goderich Harbour erection bill, re-committed.

Reported.

Adopted.

Whitby Harbour grant bill;

Canboro' and Simcoe Highway bill;

Port Burwell Harbour Company's loan bill;

Insane persons relief bill; and,

Grantham Academy loan bill, read second time.

"Christians" relief bill, read second time.

Report of the Select Committee upon Vessels' Navigation regulation bill, presented.



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Ordered, that the report be received; and,  
 Read. The same was then read by the Clerk, as follows:  
 The Report. The Select Committee to which was referred the bill sent up from the Assembly, entitled, "An Act to compel Vessels to carry a light during the night, and to make sundry provisions to regulate the navigation of the waters of this Province," respectfully report:  
 That the salutary provisions of the bill seem calculated to be productive of much benefit to navigation of the several Lakes and Rivers in the Province, and they therefore recommend the adoption of the same to your Honorable House.

(Signed) J. ELMSLEY,  
 CHAIRMAN.

*Legislative Council, Committee Room,*  
 Fifteenth February, 1837.

On motion made and seconded; it was,

Ordered, that the last-mentioned bill, and the report of the Select Committee thereon, be referred to a Committee of the whole House, to-morrow.

Report of the Select Committee upon Port Darlington Harbour Company's incorporation bill, presented.

The Honorable Mr. Elmsley, from the Select Committee to whom was referred the bill entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Port Darlington Harbour," presented their Report.

Ordered, that it be received; and,

Read.

The same was then read by the Clerk, as follows:

The Report.

The Select Committee to which was referred the bill sent up from the Assembly, entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Port Darlington Harbour," respectfully report:

That, upon comparison of the said bill with similar Acts of incorporation, they find that it corresponds in every respect, except in the rate of Tolls, which in the present bill, is much greater than other Companies are permitted to exact; and moreover, the extent of Lake shore placed under the control of the Company, is far greater than there seems to be any need for. To all of which your Committee deem it advisable to call the attention of your Honorable House.

(Signed) J. ELMSLEY,  
 CHAIRMAN.

*Legislative Council, Committee Room,*  
 Fifteenth February, 1837.

On motion made and seconded; it was,

Ordered, that the last mentioned bill, the report of the Select Committee thereon, be referred to a Committee of the whole House, to-morrow.

House adjourns.

On motion made and seconded, the House adjourned until to-morrow, at the hour of three of the clock, P. M.

THURSDAY, 16th FEBRUARY, 1837.

House meets.

The House met pursuant to adjournment.

PRESENT:

Members present.

The Honorable JOHN B. ROBINSON, SPEAKER.  
 The Honorable Messrs. CROOKSHANK,  
 " " ALLAN,  
 " " JONES,  
 " " McDONELL,

The Honorable Messrs. BURNHAM,  
 " " BALDWIN,  
 " " HAMILTON,  
 " " JAMES KERBY,  
 " " STEWART.

Prayers were read.

Oath prescribed by Law administered to the Honorable Mr. Vankoughnet.

The Honorable Mr. Vankoughnet came to the table, and took and subscribed the oath prescribed by the Statute of the 31st Geo. III. Chap. 31st, as required by the third Rule of this House at the beginning of a Parliament.

The Minutes of yesterday were read.

Address of the Assembly to the King, on the local currency, read third time, passed, signed, and

Pursuant to the order of the day, the Address sent up from the Commons House of Assembly to His Majesty, on the subject of the local Currency, was read a third time and passed:

Whereupon the Speaker signed the same; and it was,

Thursday, 16th February, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council have concurred in the said Address.

Pursuant to the order of the day, the bill entitled, "An Act to authorise the construction of a Macadamized Road from Dundas to Waterloo, in the Gore District"; also the bill entitled, "An Act to raise a sum of money to Macadamize the Road between the Town of Kingston and the Village of Napance, in the Midland District, and for other purposes therein mentioned"; and also the bill entitled, "An Act to enable the Canada Company to erect a Harbour at Goderich, on Lake Huron," were severally read a third time and passed:

Whereupon the Speaker signed the same; and it was,

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed these bills without any amendment.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to incorporate sundry persons under the style and title of the Beverley Navigation Company," and the report of the Select Committee thereon.

The Honorable Mr. Vankoughnet took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time to-morrow.

The Honorable Mr. Jones brought in a bill for granting certain privileges to the Farmers' Joint Stock Banking Company.

The said bill was then read; and it was,

Ordered, that the same be read a second time to-morrow.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to authorise the erection of the County of Hastings into a separate District," and the amendments thereto.

The Honorable Mr. Burnham took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and had made an amendment to the amendment, which they recommended to the adoption of the House.

Ordered, that the report be received; and,

The said amendment was then read by the Clerk, as follows:

Expunge the whole of the amendment, and insert in lieu thereof, "And be it further enacted by the authority aforesaid, That the Courts of Assize and Nisi Prius, Oyer and Terminer and General Gaol Delivery, shall not be held in said District, until provision shall be made by law for increasing the number of Judges in His Majesty's Court of King's Bench in this Province."

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House; and it was,

Ordered, that it be engrossed, and the said bill, as amended, read a third time to-morrow.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act granting a sum of money to improve a Harbour in the township of Whitby, in the Home District"

The Honorable Mr. Hamilton took the Chair.

After some time the House resumed.

The Chairman reported, that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time to-morrow.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to provide for the improvement of the Highway from Canboro' to Simcoe."

The Honorable Mr. James Kerby took the Chair.

After some time the House resumed.

that House acquainted of same.

Dundas and Waterloo Road Macadamization bill;

Kingston and Napance Road Macadamization bill; and,

Goderich Harbour erection bill, read third time, and passed.

Same signed;

And the Assembly acquainted thereof.

Beverley Navigation Company's incorporation bill, committed.

Reported.

Adopted.

Farmers' Banking Company's privilege bill, brought in.

Read first time.

Hastings division bill, re-committed.

Amendment to the Amendment reported.

Read first time.

The amendment to the amendment.

Read second time, and adopted.

Whitby Harbour grant bill; committed.

Reported.

Adopted.

Canboro' and Simcoe highway bill; committed.

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- Reported; and. The Chairman reported that the Committee had taken the said bill into consideration, had made some progress therein, and recommended that it be referred to a Select Committee, with power to send for persons and papers, and to report thereon.
- referred to a Select Committee. Ordered, that the report be received; and,  
Ordered, that the said bill be referred to a Select Committee, with power to send for persons and papers, and to report thereon; and,
- Members composing same. Ordered, that the Honorable Messieurs Baldwin and James Kerby do compose the same for that purpose.
- Port Burwell Harbour Company's loan bill, committed. Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act granting a sum of money to the Port Burwell Harbour Company, by way of loan."  
The Honorable Mr. Crookshank took the Chair.  
After some time the House resumed.
- Reported. The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.
- Adopted. Ordered, that the report be received; and,  
Ordered, that the said bill be read a third time to-morrow.
- Estreats recovery bill; and Home District new Gaol bill; passed by the Assembly, and returned; and the amendments to District Funds regulation bill, acceded to by that House; English and other Attornies admission bill, returned from the Assembly amended. Deputations from the Commons House of Assembly, returned the bill sent down from this House, entitled, "An Act for the more convenient recovery of Estreats;" and also the bill entitled, "An Act to authorise the Magistrates of the Home District to erect a new Gaol within the said District;" and acquainted this House that the Commons House of Assembly had passed the same, without any amendment. They also returned the bill entitled, "An Act to regulate the expenditure of the District Funds within this Province;" and acquainted this House that the Commons House of Assembly, had acceded to the amendments made by the Legislative Council, in and to the same; and they returned the bill sent down from this House, entitled, "An Act to amend the law for the admission of Attornies, and to provide for the further relief of William Conway Keele;" and acquainted this House that the Commons House of Assembly had made some amendments thereto, to which they requested the concurrence of this House, and then withdrew.
- Port Dover Harbour Company's loan bill; Thomson's remuneration bill; and, Grantham Navigation Company's incorporation bill, brought up from the Assembly. A Deputation from the Commons House of Assembly brought up a bill entitled, "An Act to grant a loan to the Port Dover Harbour Company, and increase the Capital Stock of the said Company;" also a bill entitled, "An Act granting a sum of money to His Majesty for the remuneration of certain services rendered by the late Hugh C. Thomson, Esquire;" and also a bill entitled, "An Act to incorporate certain persons under the style and title of the Grantham Navigation Company;" to which they requested the concurrence of this House, and then withdrew.
- Read first time. The said bills were then severally read; and it was,  
Ordered that they be read a second time to-morrow.
- Amendments of the Assembly to English and other Attornies admission bill, read first time. The amendments made by the Commons House of Assembly in and to the bill sent down from this House, entitled, "An Act to amend the law for the admission of Attornies, and to provide for the further relief of William Conway Keele," were then read by the Clerk as follows:  
Amendments made by the Commons House of Assembly, in and to the bill sent down by the Honorable the Legislative Council, entitled, "An Act to amend the law for the admission of Attornies, and to provide for the further relief of William Conway Keele."  
In the title—After the words "admission of" insert "Barristers and"  
Press 2, line 10—After "of Law," insert "or of Master of Arts"  
" " " 18—After "of Law," insert "or of Master of Arts"  
Add to the Bill—"5. And be it further enacted by the authority aforesaid, that any person who shall have taken, or who shall at any time hereafter take, the degree of Bachelor of Arts, or of Law, or of Master of Arts, in either of the Universities aforesaid, and who shall have been, or who shall be entered of and admitted into the Law Society of Upper Canada as a Student of Laws, and shall have been standing in the books of the said Society for and during the space of three years, and shall have conformed himself to the rules and regulations of the said Society according to the directions of an Act passed in the thirty-seventh year of the reign of King George the Third, entitled, "An Act for better regulating the practise of the Law," or any other Acts for regulating

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Barristers in this Province, such person shall be qualified to be called and admitted to the practise of the Law as a Barrister in any of the Courts of Law or Equity in this Province, as fully and effectually as any person of five years standing in the books of the said Society is qualified by virtue of the said recited Act, or any other Act for regulating the practise of the Law, any thing in the said Acts, or any of them, to the contrary in anywise notwithstanding."

On motion made and seconded; it was,

Ordered, that the last mentioned amendments of the Assembly be read a second time to-morrow.

On motion made and seconded, the House adjourned until to-morrow, at the hour of three of the clock, P. M. House adjourns.

FRIDAY, 17th FEBRUARY, 1837.

The House met pursuant to adjournment. House meets.

PRESENT:

*The Honorable* JOHN B. ROBINSON, SPEAKER.

*The Honorable Messrs.* BALDWIN,

*The Honorable Messrs.* CROOKSHANK,

" " HAMILTON,

" " MARKLAND,

" " STEWART,

" " ALLAN,

" " VANKOUGHNET.

" " BURNHAM,

Members present.

Prayers were read.

The Minutes of yesterday were read.

Pursuant to the order of the day, the bill entitled, "An Act to incorporate sundry persons under the style and title of the Beverley Navigation Company"; also the bill entitled, "An Act granting a sum of money to improve a Harbour in the township of Whitby, in the Home District"; and also the bill entitled, "An Act granting a sum of money to the Port Burwell Harbour Company, by way of loan," were severally read a third time and passed: Beverley Navigation Company's incorporation bill; Whitby Harbour grant bill; and, Port Burwell Harbour Company's loan bill, read third time, and passed.

Whereupon the Speaker signed the same; and it was,

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed these bills without any amendment. Bills signed; And the Assembly acquainted of same.

Pursuant to the order of the day, the bill entitled, "An Act to authorise the erection of the County of Hastings into a separate District," was, as amended, read a third time; and, Hastings division bill, as amended, read third time and passed.

The question being put, whether this bill, as amended, should pass, it was carried in the affirmative:

Whereupon the Speaker signed the amendment; and it was,

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill, with an amendment, to which they desire the concurrence of the Commons House of Assembly. Amendment signed; And sent to the Assembly for concurrence.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to revive and continue for a limited time, an Act passed in the third year of His present Majesty's reign, entitled, 'An Act to continue an Act passed in the eleventh year of His late Majesty's reign, entitled, 'An Act to authorise the Quarter Sessions of the Home District to provide for the relief of insane destitute persons in that District, and to extend the provisions of the same to the other Districts of this Province.'" Insane persons relief bill, committed.

The Honorable Mr. Crookshank took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House. Reported.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time to-morrow. Adopted.

The Honorable Mr. Markland, from the Select Committee, to whom was referred the bill entitled, "An Act to alter and amend the Act incorporating sundry persons under the name of the London and Gore Rail-road Company, and to grant them a sum of money, by way of loan," presented their Report. Report of the Select Committee upon London and Gore Rail-road Company's charter amendment and loan bill, presented.

Ordered, that it be received; and,

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Read.

The same was then read by the Clerk, as follows :

The Report.

Your Committee, appointed to take into consideration a bill entitled, "An Act to alter and amend the Act incorporating sundry persons under the name of the London and Gore Railroad Company, and to grant them a sum of money by way of loan," have had the same under consideration, and having used all the means in their power to obtain information on the subject, beg leave to report :

That they first directed their attention to the route of the proposed Rail-road, and the benefit likely to be derived by the Province from its construction.

From the survey having been already completed, it may be considered, that the line from Hamilton to London is decided upon. By the measure presented for the concurrence of your Honorable House, provision is made for the appointment of an Engineer or Engineers, by the Lieutenant Governor, to extend the line to any place between Port Amherstburgh and Port Sarnia, subject to the approval of the Legislature at its next Session.

No precise point having been adopted for the termination of the road, your Committee can only report generally upon this part of the subject, by shewing the favourable circumstances connected with that section of the country, bounded as has before been described. They have ascertained, that the probable length of the whole line will be about one hundred and thirty-six miles, if it should be taken to Port Sarnia, and if to Chatham, about one hundred and forty-six miles. The advantages of those routes are so similar, that the decision upon the general question may safely be arrived at; and they therefore feel themselves warranted in calling the attention of your Honorable House to the information they have received.

The profits to be derived from the work, depend upon the amount arising from travelling upon the Rail-road, and the use made of it for transporting produce and merchandize.

With respect to the former, it has been satisfactorily proved, that persons leaving New York in one of the evening Steam-boats, may, after the completion of the work in contemplation, be transported to the foot of Lake Huron in about fifty hours, passing the first night upon the Hudson River, and the second on Lake Ontario: which latter affords a great advantage, as Rail-roads are not used during the night. This great rapidity of transport to a place so much resorted to by persons visiting the Michigan Territory, cannot be attained by any other route; it therefore seems reasonable to suppose, that they, as well as persons proceeding to and from New York on mercantile business, instead of taking the longest road, and spending their time on the route, will prefer remaining at that place as long as they can, and then travel by the most expeditious mode; while settlers intending to remove from the Eastern to the Western States, will probably choose the shortest road, in order to establish themselves as speedily as possible, and thus save both time and expense.

It has been proved to the satisfaction of your Committee, that should the line terminate at Port Sarnia, or in that vicinity, a continuation will immediately be formed to the Michigan Territory. An Act of their Legislature having been applied for to authorise the construction of a Rail-road, from the City of Huron to the mouth of the Grand River in that State, which will be connected by Steam Navigation with Milwaky, directly opposite Lake Michigan, above Chicago.

The distance from New York to Port Sarnia is eight hundred and ninety miles, by the most direct route through Buffalo. The distance through Hamilton is six hundred and thirty-two miles, giving the latter route the advantage of saving two hundred and fifty-eight miles; and there is every reason to suppose, that the difference of time will be thirty-six hours during summer, under any circumstances arising from the utmost improvement which may take place in the State of New York; while the longest and most dangerous of the two Lakes to be traversed, will be avoided.

There is therefore, in the opinion of your Committee, every reason for considering the route highly advantageous; and for believing that by the construction of a Rail-road such as is proposed, the Province will be benefitted by the introduction of numerous Travellers, who will cross Lake Ontario in Steam-boats, and then proceed to the western shores of the United States, or perhaps numbers of them be attracted by the fertile country through which they will pass, and become permanent settlers in Upper Canada.

The next question to be considered, was the practicability of carrying it into effect, and the safety of lending the credit of the Province to complete it.

Of the practicability, there seems no doubt, as the portion of the line to London has been surveyed and reported upon by a skillful Engineer, who laid out and superintended the Rail-

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road just finished between Rochester and Batavia, and information has been obtained that the portion of the route from Sarnia to London is infinitely superior to the remainder, both as regards facilities and cheapness.

With respect to the loan of £200,000, desired by the present bill, your Committee have no hesitation in coming to the conclusion, that unless there was the strongest reason for believing that the interest will be paid immediately after the Rail-road is finished, and ultimately the principal from the profits of the work, it would be inexpedient and unjustifiable to increase the public debt, without making some provision to meet such an expenditure.

They have therefore considered this the most important part of the measure, and have endeavoured to procure all the information within their reach.

It has been ascertained that upon Lake Erie there will be, next season, sixty Steam-boats employed in the transport chiefly of passengers, there being besides two hundred and eleven Schooners and other craft for freight.

Of these passengers, during the last season, the average number leaving Buffalo was one thousand, and of those arriving there, four hundred per diem: making in all one thousand four hundred. The charge for the passage across Lake Erie, may be safely taken at an average of one pound for each person. Then supposing for a datum, that of those, two hundred and fifty persons, which number is much less than one-fourth, will be diverted to this shorter and more convenient route, the fare, at the same rate, would amount to £250 each day. By taking June, July, August and September, or one hundred and twenty-two days, the product is £30,500 for those four months. As the travelling will continue during all the period that the Canal is open to Oswego—and in the autumn this route will be preferred to that by Lake Erie—take for three months, to wit, May October and November, one hundred passengers per day, and we have £9,300: making in all about £40,000 that may be derived from the travelling, which will most probably be diverted to this Province by the increased facility to be produced by means of the present measure.

It may be said that this estimate of so great an increase of travelling is quite a contingency. Your Committee have felt it, nevertheless, to be their duty to bring before your Honorable House, for consideration, all the prospects that appear to them to encourage so important an undertaking; and this estimate has been considered by them more reasonable, from the knowledge they have acquired that a Rail-road is in progress from Boston to Albany, and also one from Plattsburgh to Ogdensburgh, while ere long most probably one will be constructed from Hamilton to Queenston, which will be connected with Lewiston by a Suspension Bridge, and from thence by a Rail-road now in contemplation, along the ridge on the American side, with the Great Rail-road at Rochester, leading directly to Albany.

There is, therefore, every probability that the proposed route will be much frequented after its completion by American travellers, during the navigation of Lake Ontario.

The next best source of profit must be the passengers during the winter season, when the Rail-road is completed to Lewiston, which will be the case in a period shorter than is required to finish the present road. Any one can perceive, by looking at the map, that no person would be likely to proceed round Lake Erie, when by crossing in a stage from Queenston to Hamilton, they can eight hours afterwards be at the foot of Lake Huron, and after crossing the River continue by Rail-road into Michigan. This affords good cause for computing the products of the work herein alluded to as very considerable during that season of the year. Besides, there remains the Provincial travelling, of which your Committee have not made any estimate; they are of opinion, however, that the profits from passengers, merchandise and produce, to be relied upon from this source, will be more than sufficient to keep the work in repair.

Another important question is the probable expense of the undertaking, and the manner in which the loan is likely to press upon the resources of the Province.

The intended provision for the cost of the whole work, from Hamilton to Port Sarnia, is £500,000: to be subscribed for in Shares of £12 10s. each. By the present bill, £200,000 is to be loaned to the Company in the following manner, namely: When satisfactory proof is furnished to the Receiver General that £1,250 has been paid in by the Stockholders, and that the said sum has been expended in the construction of the Rail-road, the Receiver General shall issue Debentures to the Company for £3,750: that is, thrice the amount; and upon like evidence

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being furnished that other sums have been paid in and expended, not less in amount than £250 at each time, Debentures to three times the amount of those sums so paid shall be issued in a similar manner, until there be Debentures issued for the whole amount of £200,000, which is to be redeemable in twenty years, and the interest payable half-yearly, secured by the work itself, and by personal obligations, satisfactory to the Lieutenant Governor in Council.

Thus it will appear that the issues of Debentures by the Receiver General, and the expenditure, as well as payment of a portion of the Stock subscribed, are to proceed at a given rate: one-fourth of the latter being required for every three-fourths of the former; and unless the Company perform their proscribed conditions, the Provincial liability can no longer be increased.

It is also provided, that so soon as the half-yearly interest shall cease to be paid, the advances of Debentures are to be discontinued; there is, besides, required personal securities, which must be satisfactory to the Lieutenant Governor in Council, to keep the Province harmless in case of any default; and the work itself becomes the property of the Province when such default does occur: that is, if at the end of each half year, interest is not duly tendered, the Receiver General is no longer authorised to issue any Debentures; when they are all issued, if default takes place, the securities become immediately liable, and the work can then be taken out of the hands of the Company by proper process. It seems hardly probable, under these circumstances, that there will be any failure in the payment of the interest; and if the estimates before detailed are considered of any value, your Honorable House must feel that there is good prospect of the public security being redeemed at the expiration of the period named.

From the report of the Engineer, it appears that £158,396 will be required to complete the work to London. This portion of the route is more than half the distance to Sarnia, and by far the most difficult and expensive; by doubling that sum, which gives £316,792, there should be quite sufficient for the completion of the whole route. In another place the same person states the cost, per mile, of a work of this description to be £2,056: making, then, a computation from these data, you have £279,616. In both cases, should the Stock be taken up and paid, there will be much more than the means necessary to construct the Rail-road from the head of Lake Ontario to the foot of Lake Huron, including the purchase of land and other necessary cost.

Your Committee deemed it important to consider the effect of the outlay as the work was in progress. They have learned that the expenditure between Hamilton and Brantford, will probably be £50,000. This portion may be finished during the Summer of 1838: the interest will be £3,000; but it has been ascertained, that the present stage fare amounts to about £2,000 per annum. The travelling must undoubtedly increase with the facilities, and a great quantity of freight will certainly be transported. There is reason therefore to believe, that the Company will be relieved from almost all the interest upon the cost of each section as it is completed, thereby greatly removing the difficulty of complying with the provisions of the bill on that subject.

With this impression, your Committee were inclined to recommend, that the operations of the Company should be confined by an enactment to the completion of the work by sections, commencing with that between Hamilton and Brantford; but upon enquiry they have learned that a great advantage is to be derived by providing materials and making arrangements for the whole route now surveyed, and that the same general superintendence will answer. They are therefore, not disposed to persevere in that opinion, lest it should be prejudicial, by increasing the expense of the undertaking.

With respect to the details of the bill, your Committee cannot avoid bringing under the notice of your Honorable House the circumstance, that the Debentures are to be issued to the Company, from which there is much reason to apprehend, that they may be driven to dispose of them for less than their value, and thereby injure the credit of the Province, by placing its paper at a discount.

There is also a very important and responsible duty, as regards himself, imposed upon the Receiver General, by making him hear and determine evidence of the payment and expenditure by the Company, and requiring him to sell the Rail-road if default should be made in the payment of the interest: all which might perhaps have been better arranged; that Officer, however, does not appear to have any objection to its performance, and there need not there-

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fore be any change made on his account, should your Honorable House be otherwise satisfied with the provisions of this most important measure.

All which is respectfully submitted,

(Signed) GEORGE H. MARKLAND,  
CHAIRMAN.

*Committee Room, Legislative Council,*  
17th February, 1837.

On motion made and seconded; it was,

Ordered, that the last mentioned bill, and the report of the Select Committee thereon, be referred to a Committee of the whole House, on Monday next, and that the said bill and report be in the meantime printed for the use of Members; and,

Bill and Report ordered to be printed.

Ordered, that the Members in town be summoned to attend in their places on that day.

Members summoned.  
Grantham Academy Grant bill, committed.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act granting pecuniary aid to the Grantham Academy, by way of loan."

The Honorable Mr. Allan took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Reported.

Ordered, that the report be received; and,

Adopted.

Ordered, that the said bill be read a third time to-morrow.

The Honorable Mr. Allan brought up the petition of J. S. Macaulay, and others, subscribers to the Toronto and Lake Huron Rail-road Company; which was laid on the table.

Petition of J. S. Macaulay, and others, brought up.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to compel Vessels to carry a light during the night, and to make sundry provisions to regulate the navigation of the waters of this Province," and the report of the Select Committee thereon.

Vessels Navigation regulation bill, committed.

The Honorable Mr. Stewart took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said bill and report into consideration, had made some progress therein, and recommended that the bill be referred back to the same Select Committee, with instructions to report clauses to be added to the bill, compelling the keeping of a light on wharves, and the having proper gangways leading from Steam-boats to wharves and landing places, for the security of passengers.

Reported, and referred back to the same Select Committee.

Ordered, that the report be received; and,

Ordered, that the said bill be referred back to the same Select Committee, with instructions to report clauses to be added to the bill, compelling the keeping of a light on wharves, and the having proper gangways leading from Steam-boats to wharves and landing places, for the security of passengers.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Port Darlington Harbour," and the report of the Select Committee thereon.

Port Darlington Harbour Company's incorporation bill, re-committed.

The Honorable Mr. Hamilton took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Reported.

Ordered, that the report be received; and,

Adopted.

Ordered, that the said bill be read a third time to-morrow.

Pursuant to the order of the day, the Report of the Committee of the whole House, upon the bill entitled, "An Act to authorise His Majesty's Justices to hold Courts of Oyer and Terminer, Assize and Nisi Prius, and General Gaol Delivery, in the Ottawa District," was received; and,

Report of the Committee of the whole upon Ottawa District Assize Court bill, received.

The amendments made to the bill were read by the Clerk, as follows:

In the title—After "Justices," insert "under certain provisions therein mentioned"

Amendments to the bill, read first time.

In the bill, } —Expunge "and necessary"  
Press 1, line 2, }

The amendments.

" " " 3—After "should," insert "under certain provisions herein mentioned"



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Add to the bill—"4. And be it further enacted by the authority aforesaid, That this Act shall not take effect until provision shall be made by law for increasing the number of Judges in His Majesty's Court of King's Bench in this Province, and for defraying such contingent charges of the Circuits, in respect to the said District of Ottawa, as were accustomed to be paid before the surrender by the Crown of the duties levied under a certain Act of the Parliament of Great Britain, passed in the fourteenth year of the reign of His late Majesty King George the Third, entitled 'An Act to establish a fund towards further defraying the charges of the administration of Justice, and support of the Civil Government within the Province of Quebec, in America.'"

On motion made and seconded; it was,

Ordered, that the foregoing amendments be committed to a Committee of the whole House, on Monday next.

The Honorable Mr. Macaulay enters.

Pursuant to the order of the day, the bill entitled, "An Act to entitle Foreigners to hold Real Estate in this Province, upon the conditions therein mentioned;" also the bill entitled, "An Act granting a further sum of money for completing the Macadamization of Yonge Street, and other Roads in the Home District;" also the bill entitled, "An Act to incorporate certain persons under the style and title of the President, Directors and Company, of the Fort Erie Canal Company;" also the bill entitled, "An Act to grant a loan to the Port Dover Harbour Company, and increase the Capital Stock of the said Company;" also the bill entitled, "An Act granting a sum of money to His Majesty for the remuneration of certain services rendered by the late Hugh C. Thomson, Esquire;" also the bill for granting certain privileges to the Farmers' Joint Stock Banking Company; and also the bill entitled, "An Act to incorporate certain persons under the style and title of the Grantham Navigation Company;" were severally read a second time; and it was,

Ordered, that the House be put into Committees of the whole, on Monday next, to take the same into consideration.

Pursuant to the order of the day, the bill entitled, "An Act to increase the Capital Stock of the Bank of Upper Canada, and to alter and amend the Charter thereof; and also to increase the Capital Stock of the Commercial Bank of the Midland District, and for other purposes therein mentioned," was read a second time; and it was,

Ordered, that it be referred to a Select Committee, to report thereon by amendment or otherwise; and,

Ordered, that the Honorable Messieurs Allan, Macaulay and Vankoughnet, do compose the same for that purpose.

Pursuant to the order of the day, the amendments made by the Commons House of Assembly, in and to the bill sent down from this House, entitled, "An Act to amend the law for the admission of Attornies, and to provide for the further relief of William Conway Kcele;" were read a second time; and it was,

Ordered, that the House be put into a Committee of the whole, on Monday next, to take the same into consideration.

Pursuant to the order of the day, the petition of the Directors of the Farmers' Joint Stock Banking Company, praying for an Act authorising them to sue and be sued in the name of the public Officer of the Company; and also the petition of Robert E. Burns, and others, inhabitants of the District of Niagara, praying for an Act enabling them to construct a Macadamized Road from Queenston to the Forty-mile Creek, on the Road now travelled, upon the same principle as other Toll-roads; were severally read.

The Honorable Mr. Baldwin, from the Select Committee to whom was referred the bill entitled, "An Act to define the limits of the Town of Picton, in the District of Prince Edward, and to establish a Police therein," presented their Report.

Ordered, that it be received; and,

The same was then read by the Clerk, as follows:

The Select Committee to whom was referred the bill entitled, "An Act to define the limits of the Town of Picton, in the District of Prince Edward, and to establish a Police therein," beg leave to report:

That they have carefully examined the provisions of this bill, and compared them with Acts of a similar nature, relating to the Police of other Towns in this Province.

A Member enters.

Foreigners' real estate bill;

Yonge Street and other roads Macadamization further grant bill;

Fort Erie Canal Company's incorporation bill;

Port Dover Harbour Company's loan bill;

Thomson's remuneration bill;

Farmers' Banking Company's privilege bill; and, Grantham Navigation Company's incorporation bill, read second time.

Upper Canada and Commercial Banks increase stock bill, read second time; and,

Referred to a Select Committee.

Members composing same.

Amendments of the Assembly to English and other Attornies admission bill, read second time.

Petition of the Farmers' Joint Stock Banking Company; and of Robert E. Burns, and others, read.

Report of the Select Committee upon Picton Police establishment bill, presented.

Read.

The Report.

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They have also ascertained, that while the intention to apply for an Act of Incorporation was notified in the Upper Canada Gazette on the 21st day of July last, the inhabitants of Picton and Hallowell have failed to petition this branch of the Legislature on the subject.

Your Committee bring this circumstance under the consideration of your Honorable House, as an omission to comply with one of its established rules, and on the presumption that your Honorable House may possibly be induced to overlook it, from regard to the wishes of the people, your Committee now present certain amendments which they conceive to be necessary in the bill.

All which is humbly submitted,

(Signed) A. BALDWIN,  
CHAIRMAN.

*Committee Room, Legislative Council,*  
Seventeenth February, 1837.

Press 2, line 12—Expunge “Westerly,” and insert “Easterly”

“ “ “ 16—Expunge “said,” and insert “side”

“ “ “ 16—After “three,” expunge “and”

“ “ “ 17—After “four,” insert “and lot number five”

“ “ “ 18—Expunge “nineteen,” and insert “seventeen”

“ “ “ 18—Expunge “twenty,” and insert “eighteen”

“ “ “ 19—After “South,” insert “East”

“ “ “ 19—After “along,” insert “the water’s edge to the limit between lots numbered nineteen and twenty, in the said concession, thence along the line between the said lots, numbered nineteen and twenty”

“ “ “ 20—Expunge “the said line”

“ 4, “ 4—After “Election,” insert “Provided always, That no person shall be capable of serving as a Member of the said Board, who shall be a Minister, Priest, Ecclesiastic or Teacher, under any form or profession of, religious faith or worship.”

“ “ “ 15—After “Members,” insert “Provided always, and be it further enacted by the authority aforesaid, That as soon as it shall be proved to the satisfaction of the Justices of the Peace of the District of Prince Edward, in Quarter Sessions assembled, that there are five hundred souls actually resident within that part of the said Town of Picton which lies in the concession South-East of the Carrying-place, the said third Ward hereinbefore established shall be divided into two Wards, and from thenceforth the third Ward shall consist of all that part of the said Town which lies South-East of the Bay, and West of York Street; and the fourth Ward shall consist of the remaining part of the said Town lying South-East of the said Bay, and East of York Street; and each of the said third and fourth Wards so formed shall annually elect two Members of the said Board of Police.”

“ 7, “ 2—After “perjury,” insert “and on conviction thereof, shall suffer as in other cases of wilful and corrupt perjury”

“ 13, “ 22—Expunge “purchasing any real estate”

“ “ “ 23—Expunge “for the use of the said Town to procure,” and insert “procuring of”

“ 14, “ 11—Expunge “any,” and insert “every”

“ 17—After line 8, insert the three following sections, “And be it further enacted by the authority aforesaid, That it shall not be lawful after the passing of this Act, to alter the width of any street already laid out in the said Town of Picton, or in the protraction of any street or streets to vary from the width established in those parts of any such street or streets which shall have been already laid out: Provided always, That every new street shall be laid out under the direction of the said Board of Police, and shall in no case be less than forty feet in width.

“And be it further enacted by the authority aforesaid, That the said Corporation shall hold their sittings in the Court House of the District of

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Prince Edward, in the said Town of Picton, and the Sheriff and Gaoler of the said District shall be bound, and they are hereby authorised and required, to receive and safely keep until duly discharged, all persons lawfully committed thereto by the said Corporation, or under the authority thereof.

“And be it further enacted by the authority aforesaid, That each lot, piece or parcel of land in the said Town of Picton, held by lease or otherwise, on which a building shall have been erected, shall be taken and considered to be a Town lot, and be rated at the valuation of twenty pounds.”

On motion made and seconded; it was,

Ordered, that the last-mentioned bill, and the report of the Select Committee thereon, be referred to a Committee of the whole House, to-morrow.

Report of the Select Committee upon the Resolutions of the Assembly relating to the Post Office Department, presented.

The Honorable Mr. Macaulay, from the Select Committee to whom were referred the Resolutions of the Commons House of Assembly, relating to the Post Office Department, presented their Report.

Ordered, that it be received; and,

Read.

The same was then read by the Clerk, as follows:

(For the Report—See Appendix K.)

On motion made and seconded; it was,

Ordered, that the last-mentioned report of the Select Committee be referred to a Committee of the whole House, to-morrow.

House adjourns.

On motion made and seconded, the House adjourned until Monday next, at the hour of eleven of the clock, A.M.

MONDAY, 20th FEBRUARY, 1837.

House meets.

The House met pursuant to adjournment.

PRESENT:

Members present.

The Honorable JOHN B. ROBINSON, SPEAKER.

The Honorable Messrs. BURNHAM,

The Honorable Mr. CROOKSHANK,

“ “ ELMSLEY,

The Hon. & Ven. The ARCHDEACON OF YORK,

“ “ HAMILTON,

The Honorable Messrs. MARKLAND,

“ “ JAMES KERBY,

“ “ ALLAN,

“ “ STEWART,

“ “ JONES,

“ “ MACAULAY,

“ “ McDONELL,

“ “ VANKOUGHNET.

Prayers were read.

The Minutes of Friday last were read.

Insane persons relief bill;

Pursuant to the order of the day, the bill entitled, “An Act to revive and continue, for a limited time, an Act passed in the third year of His present Majesty’s reign, entitled, ‘An Act to continue an Act passed in the eleventh year of His late Majesty’s reign, entitled, ‘An Act to authorise the Quarter Sessions of the Home District to provide for the relief of insane destitute persons in that District, and to extend the provisions of the same to the other Districts of this Province’; also the bill entitled, “An Act granting pecuniary aid to the Grantham Academy, by way of loan”; and also the bill entitled, “An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Port Darlington Harbour,” were severally read a third time, and passed.

Grantham Academy Grant bill; and, Port Darlington Harbour Company’s incorporation bill, read third time, and passed.

Same signed;

Whereupon the Speaker signed the same; and it was,

And the Assembly acquainted thereof.

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed these bills without any amendment.

A Member enters.

The Honorable Mr. Adamson enters:

Oath prescribed by Law administered to the Hon. Mr. Dunn.

The Honorable Mr. Dunn came to the table, and took and subscribed the oath prescribed by law, pursuant to the third Rule of the House at the beginning of a Parliament.

Yonge Street and other roads Macadamization further grant bill, committed.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, “An Act granting a further sum of money for completing the Macadamization of Yonge Street, and other roads in the Home District.”

The Honorable Mr. Allan took the Chair.

After some time the House resumed.

Amendment reported.

The Chairman reported that the Committee had gone through the said bill, and had made an amendment thereto, which they recommended to the adoption of the House.

Ordered, that the report be received; and,

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The said amendment was then read by the Clerk, as follows:

Read first time.

Press 4, line 5—After "Thorne," insert "James Hogg, William Crookshank, James Young."

The amendment.

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House; and it was,

Read second time, and adopted.

Ordered, that it be engrossed, and the said bill, as amended, read a third time to-morrow.

Deputations from the Commons House of Assembly returned the bill entitled, "An Act to authorise the erection of the County of Hastings into a separate District," and acquainted this House, that the Assembly had acceded to the amendment made by the Legislative Council in and to the same. And they brought up a bill entitled, "An Act to levy a temporary tax on certain wild lands in the Counties of Haldimand and Norfolk, to be expended on the Highways adjoining the same"; also a bill entitled, "An Act to loan a sum of money to the Erie and Ontario Rail-road Company"; also a bill entitled, "An Act for granting a sum of money to defray a part of the expense to finish the Survey of the River Thames from Chatham to London"; also a bill entitled, "An Act to authorise the appointment of Commissioners in the several Districts of this Province, for the settlement of disputes concerning boundary lines within such Districts respectively"; also a bill entitled, "An Act to prevent the dissolution of the Parliament of this Province in the event of a demise of the Crown"; also a bill entitled, "An Act to repeal and amend the Registry Laws of this Province, and for other purposes therein-mentioned"; also a bill entitled, "An Act to alter and amend an Act passed in the fourth year of His Majesty's reign, entitled, 'An Act to extend the limits of the Town of York, to erect the said Town into a City, and to incorporate it under the name of the City of Toronto'; and also a bill entitled, "An Act to authorise the erection of the County of Simcoe into a separate District, by the name of the District of Simcoe," to which they requested the concurrence of this House, and then withdrew.

Amendment to Hastings division bill, acceded to by the Assembly; and,

Haldimand and Norfolk Wild Land Tax bill;

Erie and Ontario Rail-road Company's Loan bill;

River Thames Survey bill;

Boundary Line Commissioners' appointment bill;

Parliament dissolution prevention bill;

Registry Law amendment bill;

Toronto City Charter amendment bill; and,

District of Simcoe erection bill, brought up from the Assembly.

The said bills were then severally read; and it was,

Read first time.

Ordered, that they be read a second time to-morrow.

A Deputation from the Commons House of Assembly brought up a bill entitled, "An Act to repeal the several Laws now in force imposing fines on Quakers, Menonists and Tunkers, for non-performance of Militia duties in time of peace, and for other purposes therein-mentioned," to which they requested the concurrence of this House, and then withdrew.

Quakers and others Militia Fines repeal bill, brought up from the Assembly.

The said bill was then read; and it was,

Read first time, and ordered for a second reading in three months.

Ordered, that the same be read a second time this day three months.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to alter and amend the Act incorporating sundry persons under the name of the London and Gore Rail-road Company, and to grant them a sum of money, by way of loan," and the report of the Select Committee thereon.

London and Gore Rail-road Company's charter amendment and loan bill, re-committed.

The Honorable Mr. Adamson took the Chair.

After some time the House resumed.

The Honorable Mr. Wells enters.

A Member enters.

The Chairman reported that the Committee had taken the said bill, and the report of the Select Committee, into consideration, had made some progress therein, and asked leave to sit again on Wednesday next.

Reported, and leave asked to sit again.

Ordered, that the report be received, and leave granted accordingly.

Leave granted.

Deputations from the Commons House of Assembly brought up a bill entitled, "An Act to amend an Act passed in the fifty-fifth year of the reign of His late Majesty George the Third, entitled, 'An Act to incorporate the Midland District School Society'; also a bill entitled, "An Act to Naturalize certain persons therein named"; and also a bill entitled, "An Act to raise a sum of money to Macadamize the road leading from Brockville to Saint Francis, Charleston, Lyndhurst, Beverley and Portland, in the District of Johnstown, and to authorise the erection of toll-gates on the said roads," to which they requested the concurrence of this House, and then withdrew.

Midland District School Society's Incorporation amendment bill;

Edwards and others Naturalization bill; and Brockville Road Macadamization bill, brought up from the Assembly.

The said bills were then severally read; and it was,

Read first time.

Ordered that they be read a second time to-morrow.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to entitle Foreigners to hold Real Estate in this Province, upon the conditions therein mentioned."

Foreigners' real estate sale bill, committed.

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The Honorable Mr. Markland took the Chair.

After some time the House resumed.

Reported, and leave  
asked to sit again,  
in three months.

The Chairman reported that the Committee had taken the said bill into consideration, had made some progress therein, and asked leave to sit again this day three months.

Leave granted.

Ordered, that the report be received, and leave granted accordingly.

Fort Erie Canal Com-  
pany's incorporation  
bill, committed.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to incorporate certain persons under the style and title of the President, Directors and Company, of the Fort Erie Canal Company."

The Honorable Mr. Elmsley took the Chair.

After some time the House resumed.

Reported.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Adopted.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time to-morrow.

Port Dover Harbour  
Company's loan bill,  
committed.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to grant a loan to the Port Dover Harbour Company, and increase the Capital Stock of the said Company."

The Honorable Mr. Wells took the Chair.

After some time the House resumed.

Reported.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Adopted.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time to-morrow.

Thomson's remunera-  
tion bill, committed.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act granting a sum of money to His Majesty for the remuneration of certain services rendered by the late Hugh C. Thomson, Esquire."

The Honorable Mr. Baldwin took the Chair.

After some time the House resumed.

Reported.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Adopted.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time to-morrow.

Farmers' Banking  
Company's privilege  
bill, committed.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill for granting certain privileges to the Farmers' Joint Stock Banking Company.

The Honorable Mr. Vankoughnet took the Chair.

After some time the House resumed.

Reported, and leave  
asked to sit again,  
in three months.

The Chairman reported that the Committee had taken the said bill into consideration, had made some progress therein, and asked leave to sit again this day three months.

Leave granted.

Ordered, that the report be received, and leave granted accordingly.

Second Report of the  
Select Committee  
upon Vessels Naviga-  
tion regulation bill,  
presented.

The Honorable Mr. Hamilton, from the Select Committee to whom was again referred the bill entitled, "An Act to compel Vessels to carry a Light during the night, and to make sundry provisions to regulate the Navigation of the waters of this Province," presented their Report.

Ordered, that it be received; and,

Read.

The same was then read by the Clerk, as follows:

The Report.

The Select Committee to whom was referred the bill entitled, "An Act to compel Vessels to carry a Light during the night, and to make sundry provisions to regulate the Navigation of the waters of this Province," beg leave to report the following amendments, pursuant to the instructions of your Honorable House, viz:

Press 2, line 2—After "year," insert "And whereas, many accidents, and loss of lives have happened from the insecurity of gang-boards, leading from Steam-boats and other vessels to wharves and other landing-places, as well as from the darkness and dangerous condition of such wharves: Be it further enacted by the authority aforesaid, That every such Steam-boat or Vessel carrying passengers, shall be provided with a good and sufficient gang-board or gang-boards, with substantial hand-rails, and the master thereof shall, on stopping at any wharf or landing-place, cause the same to be firmly secured to the said Vessel and wharf or landing-place, for the safe and convenient transit of passengers; and shall cause to be affixed to the gang-ways, in the night time, good and suffi-

Monday, 20th February, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

cient lights; and the owners or occupiers of every such wharf or landing-place shall also, in the night time, cause to be shewn conspicuously on such wharf or landing-place, and at every angle or turn thereof, a good and sufficient light."

Press 2, line 7—After "safety," insert "and that when any two Vessels are trying to get to windward, and there may be a doubt which Vessel should pass to windward, the Vessel being on the starboard tack shall keep her wind, and the Vessel on the larboard tack shall bear up or go to leeward."

(Signed) JOHN HAMILTON,  
CHAIRMAN.

*Legislative Council, Committee Room,*  
20th February, 1837.

The foregoing amendments being read a second time, and the question of concurrence put on each, they were severally agreed to by the House; and it was,

Amendments to the bill, read second time, and adopted.

Ordered, that they be engrossed, and the said bill, as amended, read a third time to-morrow.

The Honorable Mr. Elmsley, from the Select Committee to whom was referred the bill entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Frecholders' Bank of Upper Canada," presented their Report.

Report of the Select Committee upon Frecholders' Bank incorporation bill, presented.

Ordered, that it be received; and,

The same was then read by the Clerk, as follows:

Read.

The Select Committee to whom was referred the bill sent up from the Assembly, entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Frecholders' Bank of Upper Canada," respectfully report:

The Report.

That an institution which offers security upon Real Estate to twice the amount of its Capital Stock, seems eminently to merit the extension to it of the privilege of carrying on the business of Banking.

Your Committee have learned that a similar institution to that proposed to be incorporated by this bill, has been in successful and most beneficial operation in the State of Louisiana, for several years past.

Your Committee therefore respectfully recommend the principle of this bill to the adoption of your Honorable House.

Upon the details of the measure, your Committee refrain from any expression of opinion, under the conviction that a discussion in the House should precede any suggestions of alteration, if such should be needed.

(Signed) J. ELMSLEY,  
CHAIRMAN.

*Legislative Council, Committee Room,*  
20th February, 1837.

On motion made and seconded; it was,

Ordered, that the last mentioned bill, and the report of the Select Committee thereon, be referred to a Committee of the whole House, to-morrow.

The Honorable Mr. Elmsley brought up the petition of the Chairman at a public meeting of the inhabitants of the City of Toronto; which was laid on the table.

Petitions of the Inhabitants of the City of Toronto; Of George Buchanan, and others; Of the President, &c. of the Bank of Montreal; Of James Sutton;

The Honorable Mr. Macaulay brought up the petition of George Buchanan, and others, inhabitants of the District of Bathurst; also the petition of the President, Vice President and Directors, of the Bank of Montreal; and also the petition of James Sutton, a Citizen of the United States of America; which were laid on the table.

The Honorable Mr. Hamilton brought up the petition of the President and Directors of the Tay Navigation Company; which was laid on the table.

And of the President, &c. of the Tay Navigation Company, brought up. House adjourns.

On motion made and seconded, the House adjourned until to-morrow, at eleven of the clock, A. M.

Tuesday, 21st February, 1837.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

TUESDAY, 21st FEBRUARY, 1837.

House meets.

The House met pursuant to adjournment.

PRESENT :

Members present.

*The Honorable* JOHN B. ROBINSON, SPEAKER.

*The Honorable Messrs.* HAMILTON,

*The Honorable Messrs.* JONES,

" " ADAMSON,

" " McDONELL,

" " JAMES KERBY,

" " BURNHAM,

" " STEWART,

" " ELMSLEY,

" " VANKOUGHNET.

" " BALDWIN,

Prayers were read.

The Minutes of yesterday were read.

Yonge Street and other roads Macadamization bill; and Vessels Navigation regulation bill, as amended, read third time and passed.

Pursuant to the order of the day, the bill entitled, "An Act granting a further sum of money for completing the Macadamization of Yonge Street, and other Roads in the Home District;" and also the bill entitled, "An Act to compel Vessels to carry a Light during the night, and to make sundry provisions to regulate the Navigation of the waters of this Province," were severally, as amended, read a third time; and,

The question being put, whether these bills, as amended, should pass, it was carried in the affirmative:

Amendments signed;

Whereupon the Speaker signed the amendments; and it was,

And sent to the Assembly for concurrence.

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed these bills, with certain amendments, to which they desire the concurrence of the Commons House of Assembly.

Fort Erie Canal Company's incorporation bill;

Port Dover Harbour Company's loan bill;

And Thomson's remuneration bill, read third time, and passed.

Pursuant to the order of the day, the bill entitled, "An Act to incorporate certain persons under the style and title of the President, Directors and Company, of the Fort Erie Canal Company"; also the bill entitled, "An Act to grant a loan to the Port Dover Harbour Company, and increase the Capital Stock of the said Company"; and also the bill entitled, "An Act granting a sum of money to His Majesty for the remuneration of certain services rendered by the late Hugh C. Thomson, Esquire," were severally read a third time and passed:

Same signed;

Whereupon the Speaker signed the same; and it was,

And the Assembly acquainted thereof.

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed these bills without any amendment.

Ottawa District Assize Court bill, re-committed.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to authorise His Majesty's Justices to hold Courts of Oyer and Terminer, Assize and Nisi Prius, and General Gaol Delivery, in the Ottawa District," (as amended.)

The Honorable Mr. Baldwin took the Chair.

After some time the House resumed.

Reported.

The Chairman reported that the Committee had gone through the said bill, and recommended it, as amended, to the adoption of the House.

Adopted.

Ordered, that the report be received; and,

Ordered, that the said bill, as amended, be read a third time to-morrow.

A Member enters.

The Honorable Mr. Markland enters.

Grantham Navigation Company's incorporation bill, committed.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to incorporate certain persons under the style and title of the Grantham Navigation Company."

The Honorable Mr. Stewart took the Chair.

After some time the House resumed.

Reported; and,

The Chairman reported that the Committee had taken the said bill into consideration, had made some progress therein, and recommended that it be referred to a Select Committee, to report thereon by amendment or otherwise.

Ordered, that the report be received; and,

referred to a Select Committee.

Ordered, that the said bill be referred to a Select Committee, to report thereon by amendment or otherwise; and,

Members composing same.

Ordered, that the Honorable Messieurs Baldwin and James Kerby, do compose the same for that purpose.

Tuesday, 21st February, 1837.

SIR FRANCIS BOND HEAD, K. C. H. Lieutenant Governor

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the amendments made by the Commons House of Assembly, in and to the bill sent down from this House, entitled, "An Act to amend the law for the admission of Attornies, and to provide for the further relief of William Conway Keelc."

Amendments of the Assembly to English and other Attornies admission bill, committed.

The Honorable Mr. Burnham took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said amendments into consideration; had made some progress therein, and asked leave to sit again on Thursday next.

Reported, and leave asked to sit again.

Ordered, that the report be received, and leave granted accordingly.

Leave granted.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to define the limits of the Town of Picton, in the District of Prince Edward, and to establish a Police therein," and the report of the Select Committee thereon.

Picture Police establishment bill, committed.

The Honorable Mr. Elmsley took the Chair.

After some time the House resumed.

The Honorable Messieurs Allan and Macaulay enter.

Members enter.

The Chairman reported that the Committee had gone through the said bill, and had made some amendments thereto, which they recommended to the adoption of the House.

Amendments reported.

Ordered, that the report be received; and,

Read first time.

The said amendments were then read by the Clerk, as follows:

The amendments.

Press 2, line 12—Expunge "Westerly," and insert "Easterly"

" " " 16—Expunge "said," and insert "side"

" " " 16—After "three," expunge "and"

" " " 17—After "four," insert "and lot number five"

" " " 18—Expunge "nineteen," and insert "seventeen"

" " " 18—Expunge "twenty," and insert "eighteen"

" " " 19—After "South," insert "East"

" " " 19—After "along," insert "the water's edge to the limit between lots numbered nineteen and twenty, in the said concession, thence along the line between the said lots, numbered nineteen and twenty"

" " " 20—Expunge "the said line"

" 4, " 4—After "Election," insert "Provided always, That no person shall be capable of serving as a Member of the said Board, who shall be a Minister, Priest, Ecclesiastic or Teacher, under any form or profession of religious faith or worship."

" " " 15—After "Members," insert "Provided always, and be it further enacted by the authority aforesaid, That as soon as it shall be proved to the satisfaction of the Justices of the Peace of the District of Prince Edward, in Quarter Sessions assembled, that there are five hundred souls actually resident within that part of the said Town of Picton which lies in the concession South-East of the Carrying-place, the said third Ward hereinbefore established shall be divided into two Wards, and from thenceforth the third Ward shall consist of all that part of the said Town which lies South-East of the Bay, and West of York Street; and the fourth Ward shall consist of the remaining part of the said Town lying South-East of the said Bay; and East of York Street; and each of the said third and fourth Wards so formed, shall annually elect two Members of the said Board of Police."

" 7, " 2—After "perjury," insert "and on conviction thereof, shall suffer as in other cases of wilful and corrupt perjury"

" 12, " 22—Expunge "purchasing any real estate"

" " " 23—Expunge "for the use of the said Town to procure," and insert "procuring of"

" 14, " 11—Expunge "any," and insert "every"

" 17—After line 8, insert the three following sections, "And be it further enacted by the authority aforesaid, That it shall not be lawful after the passing of this Act, to alter the width of any street already laid out in the said Town of Picton, or in the protraction of any street or streets to vary from the width established in those parts of any such street or streets which shall have been already



Tuesday, 21st February, 1837.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

laid out: Provided always, That every new street shall be laid out under the direction of the said Board of Police, and shall in no case be less than forty feet in width.

“And be it further enacted by the authority aforesaid, That the said Corporation shall hold their sittings in the Court House of the District of Prince Edward, in the said Town of Picton, and the Sheriff and Gaoler of the said District shall be bound, and they are hereby authorised and required, to receive and safely keep until duly discharged, all persons lawfully committed thereto by the said Corporation, or under the authority thereof.”

“And be it further enacted by the authority aforesaid, That each lot, piece or parcel of land in the said Town of Picton, held by lease or otherwise, on which a building shall have been erected, shall be taken and considered to be a Town lot, and be rated at the valuation of twenty pounds.”

The said amendments being read a second time, and the question of concurrence put on each, they were severally agreed to by the House; and it was,

Ordered, that the said amendments be engrossed, and the said bill, as amended, read a third time to-morrow.

A Deputation from the Commons House of Assembly returned the bill entitled, “An Act to grant a further sum of money for completing the Macadamization of Yonge Street, and other roads in the Home District,” and acquainted this House, that the Commons House of Assembly had acceded to the amendment made in and to the same by the Legislative Council; and they brought up a bill entitled, “An Act to provide for the payment in certain cases of the interest on the loan for the construction of the Great Western Rail-road”; and also a bill entitled “An Act to authorise the erection of the County of Oxford into a separate District, by the name of the District of Brock,” to which they requested the concurrence of this House, and then withdrew.

The said bills were then severally read; and it was,

Ordered, that they be read a second time to-morrow.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the report of the Select Committee to whom were referred the Resolutions of the Commons House of Assembly, on the subject of the Post Office Department.

The Honorable Mr. Hamilton took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said report of the Select Committee, and had made certain amendments to the said Resolutions, which they recommended to the adoption of the House.

Ordered, that the report be received; and,

The said amendments were read by the Clerk, as follows:

Page 3, line 19—Expunge “this House,” and insert “the Legislative Council and House of Assembly”

“ 4, lines 9 & 10—Expunge “this House,” and insert “the Legislative Council and House of Assembly are”

“ 5, line 1—After “Colony,” insert “for the information of the Legislature”

“ “ “ 13—After “4d.” insert “Currency”

“ “ “ 14—Expunge “7d. or”

“ “ “ 17—Expunge “above,”—after “400,” insert “to 500,”—after “1s. 4d.” insert “above 500 ls. 6d.”

“ “ “ 19—After “Pamphlets,” insert “and other printed papers”

“ 6—Expunge the 5, 6, 7, 8, 9, 10 and 11th lines.

“ “ line 13—After “in,” insert “attendance during each”

“ 6—Expunge the 14, 15, 16 and 17th lines.

“ “ line 24—After “Office,” insert “rent”

“ “ “ 24—Expunge “Assistants,” and insert “assistance”

“ 8, “ 14—Expunge “an,” and insert “a Joint”—after “address,” insert “from the Legislative Council and Assembly”

The said amendments being read a second time, and the question of concurrence put on each, they were severally agreed to by the House; and it was,

Ordered, that the said amendments be engrossed, and the same read a third time to-morrow.

Read second time, and adopted.

Amendment to Yonge Street and other roads Macadamization further grant bill, acceded to by the Assembly;

Great Western Rail-road Company's interest payment bill:

And Brock District erection bill, brought up from the Assembly.

Read first time.

Report of the Select Committee upon the Resolutions of the Assembly on the subject of the Post Office Department, committed.

Amendments reported.

Read first time.

The amendments.

Read second time, and adopted.

Tuesday, 21st February, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Freeholders Bank of Upper Canada," and the report of the Select Committee thereon.

Freeholders' Bank incorporation bill, committed.

The Honorable Mr. Macaulay took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Reported.

Ordered, that the report be received; and,

Adopted.

Ordered, that the said bill be read a third time to-morrow.

Pursuant to the order of the day, the bill entitled, "An Act to levy a temporary tax on certain wild lands in the Counties of Haldimand and Norfolk, to be expended on the Highways adjoining the same"; also the bill entitled, "An Act to loan a sum of money to the Erie and Ontario Rail-road Company"; also the bill entitled, "An Act for granting a sum of money to defray a part of the expense to finish the Survey of the River Thames from Chatham to London"; also the bill entitled, "An Act to authorise the appointment of Commissioners in the several Districts of this Province, for the settlement of disputes concerning boundary lines within such Districts respectively"; also the bill entitled, "An Act to prevent the dissolution of the Parliament of this Province in the event of a demise of the Crown"; also the bill entitled, "An Act to repeal and amend the Registry Laws of this Province, and for other purposes therein-mentioned"; also the bill entitled, "An Act to alter and amend an Act passed in the fourth year of His Majesty's reign, entitled, 'An Act to extend the limits of the Town of York, to erect the said Town into a City, and to incorporate it under the name of the City of Toronto'; also the bill entitled, "An Act to authorise the erection of the County of Simcoe into a separate District, by the name of the District of Simcoe"; also the bill entitled, "An Act to amend an Act passed in the fifty-fifth year of the reign of His late Majesty George the Third, entitled, 'An Act to incorporate the Midland District School Society'; and also the bill entitled, "An Act to raise a sum of money to Macadamize the roads leading from Brockville to Saint Francis, Charleston, Lyndhurst, Beverley and Portland, in the District of Johnstown, and to authorise the erection of toll-gates on the said roads," were severally read a second time; and it was,

Haldimand and Norfolk Wild Land Tax bill;  
Erie and Ontario Rail-road Company's Loan bill;  
River Thames Survey bill;  
Boundary Line Commissioners' appointment bill;  
Parliament dissolution prevention bill;  
Registry Law amendment bill;  
Toronto City Charter amendment bill;

District of Simcoe erection bill;

Midland District School Society's Incorporation amendment bill; and,  
Brockville Road Macadamization bill, read second time.

Ordered, that the House be put into Committees of the whole, to-morrow, to take the same into consideration.

Pursuant to the order of the day, the bill entitled, "An Act to Naturalize certain persons therein-named," was read a second time; and it was,

Edwards and others Naturalization bill, read second time; and,

Ordered, that the same be referred to a Select Committee, to report thereon by amendment or otherwise; and,

Referred to a Select Committee.

Ordered, that the Honorable Messieurs Burnham and Stewart, do compose the same for that purpose.

Members composing same.

The Honorable Mr. Baldwin, from the Select Committee to whom was referred the bill entitled, "An Act to provide for the improvement of the Highway from Canboro' to Simcoe," presented their Report.

Report of the Select Committee upon Canboro' and Simcoe Highway bill, presented.

Ordered, that it be received; and,

The same was then read by the Clerk, as follows:

Read.

The Select Committee, to whom was referred the bill sent up from the Commons House of Assembly, entitled, "An Act to provide for the improvement of the Highway from Canboro' to Simcoe," beg leave to report:

The Report.

That they have examined the said bill, and compared it with the bill lately passed "for constructing a Macadamized Road from Dundas to Waterloo," and find them agree in their general provisions.

The object of this bill is to borrow £4,000, and to Turnpike preparatory to Macadamizing the Road from Simcoe in the District of London, to Canboro' in the District of Niagara. There is a clause subjecting every lot of two hundred acres, adjoining said Road, to a tax of five shillings a year for ten years.

The thirty-ninth clause empowers the Trustees to recover all taxes due on the lands contiguous, and unpaid up to the 31st of December last, and to apply the proceeds to the liquidation of the principal and interest of the loan.

Wednesday, 22nd February, 1837.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

Your Committee beg leave to recommend the bill to your favourable consideration.  
All which is respectfully submitted,

(Signed) A. BALDWIN,  
CHAIRMAN.

*Legislative Council, Committee Room.*

Twentieth February, 1837.

On motion made and seconded; it was,

Ordered, that the last mentioned bill, and the report of the Select Committee thereon, be referred to a Committee of the whole House, to-morrow.

Petition of J. S. Macaulay, and others, read.

Pursuant to the order of the day, the petition of J. S. Macaulay, and others, subscribers to the Toronto and Lake Huron Rail-road Company, praying for the same privileges as are conferred upon the Great Western Rail-road Company, was read.

House adjourns.

On motion made and seconded, the House adjourned until to-morrow, at eleven of the clock, A.M.

WEDNESDAY, 22nd FEBRUARY, 1837.

House meets.

The House met pursuant to adjournment.

PRESENT :

Members present.

*The Honorable* JOHN B. ROBINSON, SPEAKER.

*The Honorable Messrs.* MARKLAND,

" " JONES,

" " McDONELL,

" " BURNHAM,

" " BALDWIN,

*The Honorable Messrs.* HAMILTON,

" " ADAMSON,

" " JAMES KERBY,

" " STEWART,

" " VANKOUGHNET.

Prayers were read.

The Minutes of yesterday were read.

Picton Police establishment bill, as amended, read third time and passed.

Pursuant to the order of the day, the bill entitled, "An Act to define the limits of the Town of Picton, in the District of Prince Edward, and to establish a Police therein," was, as amended, read a third time; and,

The question being put, whether this bill, as amended, should pass, it was carried in the affirmative:

Amendments signed:

Whereupon the Speaker signed the amendments; and it was,

And sent to the Assembly for concurrence.

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council have passed this bill, with certain amendments, to which they desire the concurrence of the Commons House of Assembly.

Resolutions of the Assembly on the Post Office Department, as amended, read third time, passed;

Pursuant to the order of the day, the Resolutions of the Commons House of Assembly on the subject of the Post Office Department, were, as amended, read a third time and passed; and it was,

And sent to that House for concurrence.

Ordered, that the Master in Chancery do go down to the Assembly and acquaint that House, that the Legislative Council has passed the said Resolutions with certain amendments, to which they desire the concurrence of the Commons House of Assembly.

Freeholders' Bank incorporation bill, read third time, but not passed.

Pursuant to the order of the day, the bill entitled, "An Act to incorporate sundry persons under the style and title of the President Directors and Company, of the Freeholders Bank of Upper Canada," was read a third time; and,

The question being put, whether this bill should pass, it was carried in the negative.

London and Gore Rail-road Company's charter amendment and loan bill, re-committed.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon bill entitled, "An Act to alter and amend the Act incorporating sundry persons under the name of the London and Gore Rail-road Company, and to grant them a sum of money by way of loan," and the report of the Select Committee thereon.

The Honorable Mr. Adamson took the Chair.

After some time the House resumed.

Members enter.

The Honorable Messieurs Allan and Macaulay enter.

Reported.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Adopted.

Ordered, that the report be received.

A Member enters.

The Honorable Mr. Wells enters.

Wednesday, 22nd February, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

Ordered, that the last mentioned bill be read a third time on Friday next.

Pursuant to the order of the day, the bill entitled, "An Act to provide for the payment, in certain cases, of the interest on the loan for the construction of the Great Western Rail-road," was read a second time; and it was,

Great Western Rail-road Company's interest payment bill, read second time.

Ordered, that the House be put into a Committee of the whole to-morrow, to take the same into consideration.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to levy a temporary tax on certain wild lands in the Counties of Haldimand and Norfolk, to be expended on the Highways adjoining the same."

Haldimand and Norfolk Wild Land Tax bill, committed.

The Honorable Mr. Hamilton took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said bill into consideration, had made some progress therein, and recommended that it be referred to a Select Committee, with power to send for persons and papers, and to report thereon by amendment or otherwise.

Reported; and,

Ordered, that the report be received; and,

Ordered, that the said bill be referred to a Select Committee, with power to send for persons and papers, and to report thereon by amendment or otherwise; and,

Referred to a Select Committee.

Ordered, that the Honorable Messieurs Hamilton and James Kerby, do compose the same for that purpose.

Members composing same.

Deputations from the Commons House of Assembly brought up a bill entitled, "An Act to amend an Act passed during the last Session, entitled, 'An Act to improve the Navigation of the Inland Waters of the District of Newcastle'"; also a bill entitled, "An Act to amend an Act passed during the last Session, entitled, 'An Act granting a sum of money for improving the hill at the River Rouge, and other purposes therein-mentioned'"; and also a bill entitled, "An Act to amend an Act passed during the last Session, entitled, 'An Act to amend an Act passed in the first Session of the present Parliament, entitled 'An Act granting a sum of money for the erection of a Light-house on Gull Island, or such other place as the Commissioners may select,' to which they requested the concurrence of this House, and then withdrew.

Newcastle Inland Navigation amendment bill;

Rouge Hill grant amendment bill; and,

Gull Island Light-house grant amendment bill, brought up from the Assembly.

The said bills were then severally read; and it was,

Read first time.

Ordered, that they be read a second time to-morrow.

A Message from His Excellency the Lieutenant Governor, was delivered by Mr. Secretary Joseph, who being retired, the Speaker read the same; and it was again read by the Clerk, as follows:

Message from the Lieutenant Governor:

F. B. HEAD.

The Lieutenant Governor transmits to the Legislative Council, the Annual Report of the Toronto General Hospital.

Transmitting the Annual Report of the Toronto General Hospital.

The extent of relief which has been afforded by means of the General Hospital to the sick and destitute, induces the Lieutenant Governor earnestly to request the attention of the Legislative Council to the inadequacy of the funds assigned for its support. The great resort of Emigrants to this City, and of persons requiring medical and surgical treatment, from different parts of the Province, to the General Hospital, makes it a matter of general interest that this establishment should be preserved in a state of efficiency; an object which the Lieutenant Governor fears it will be impossible to accomplish, unless sufficient addition shall be made to the means at the disposal of the Trustees for defraying the necessary expenses of the institution.

*Government House,*

22nd February, 1837.

On motion made and seconded; it was,

Ordered, that an Address be presented to the Lieutenant Governor, respectfully thanking His Excellency for the Message just received, and assuring him that this House will not fail to give the recommendation of His Excellency their serious consideration; and,

Committee appointed to present an Address of thanks to the Lieutenant Governor, for the foregoing Message.

Ordered, that the Honorable Messieurs Baldwin and James Kerby, do present the same.

Members composing same.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill, entitled, "An Act to loan a sum of money to the Eric and Ontario Rail-road Company."

Eric and Ontario Rail-road Company's loan bill, committed.

The Honorable Mr. Baldwin took the Chair.

After some time the House resumed.

Wednesday, 22nd February, 1837.

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Reported.	The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.
Adopted.	Ordered, that the report be received; and, Ordered, that the said bill be read a third time to-morrow.
River Thames Survey bill, committed.	Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act for granting a sum of money to defray a part of the expense to finish the survey of the River Thames, from Chatham to London." The Honorable Mr. Wells took the Chair. After some time the House resumed.
Reported.	The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.
Adopted.	Ordered, that the report be received; and, Ordered, that the said bill be read a third time to-morrow.
Boundary Line Commissioners' appointment bill, committed.	Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to authorise the appointment of Commissioners in the several Districts of this Province, for the settlement of disputes concerning Boundary Lines within such Districts, respectively." The Honorable Mr. Wells took the Chair. After some time the House resumed.
Reported; and,	The Chairman reported that the Committee had taken the said bill into consideration, had made some progress therein, and recommended that it be referred to a Select Committee, to report thereon by amendment or otherwise.
Referred to a Select Committee.	Ordered, that the report be received; and, Ordered, that the said bill be referred to a Select Committee, to report thereon by amendment or otherwise; and,
Members composing same.	Ordered, that the Honorable Messieurs Adamson and Vankoughnet, do compose the same for that purpose.
Ottawa District Assize Court bill, as amended, read third time, and passed.	Pursuant to the order of the day, the bill entitled, "An Act to authorise His Majesty's Justices to hold Courts of Oyer and Terminer, Assize and Nisi Prius, and General Gaol Delivery, in the Ottawa District," was, as amended, read a third time; and, The question being put, whether this bill, as amended, should pass, it was carried in the affirmative:
Amendments signed; And sent to the Assembly for concurrence.	Whereupon the Speaker signed the amendments; and it was, Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill, with certain amendments, to which they desire the concurrence of the Commons House of Assembly.
Parliament dissolution prevention bill, committed.	Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to prevent the dissolution of the Parliament of this Province, in the event of a demise of the Crown." The Honorable Mr. Jones took the Chair. After some time the House resumed.
Reported, and leave asked to sit again.	The Chairman reported that the Committee had taken the said bill into consideration, had made some progress therein, and asked leave to sit again to-morrow.
Leave granted.	Ordered, that the report be received, and leave granted accordingly.
Registry Law amendment bill, committed.	Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to repeal and amend the Registry Laws of this Province, and for other purposes therein mentioned." The Honorable Mr. Allan took the Chair. After some time the House resumed.
Reported; and,	The Chairman reported that the Committee had taken the said bill into consideration, had made some progress therein, and recommended that it be referred to a Select Committee, to report thereon, by amendment or otherwise.
Referred to a Select Committee.	Ordered, that the report be received; and, Ordered, that the said bill be referred to a Select Committee, to report thereon by amendment or otherwise; and,
Members composing same.	Ordered, that the Honorable Messieurs Allan, Burnham and Macaulay, do compose the same for that purpose; and,
Bill ordered to be printed.	Ordered, that the said bill be printed for the use of Members.

Wednesday, 22nd February, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to alter and amend an Act passed in the fourth year of His Majesty's reign, entitled, 'An Act to extend the limits of the Town of York, to erect the said Town into a City, and to incorporate it under the name of the City of Toronto.'" Toronto City Charter amendment bill, committed.

The Honorable Mr. Wells took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said bill into consideration, had made some progress therein, and recommended that it be referred to a Select Committee, with power to send for persons and papers, and to report thereon by amendment or otherwise. Reported; and,

Ordered, that the report be received; and,

Ordered, that the said bill be referred to a Select Committee, with power to send for persons and papers, and to report thereon by amendment or otherwise; and, Referred to a Select Committee.

Ordered, that the Honorable Messieurs Markland, Burnham, Baldwin and Macaulay, do compose the same for that purpose. Members composing same.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to authorise the erection of the County of Simcoe into a separate District, by the name of the District of Simcoe." District of Simcoe erection bill, committed.

The Honorable Mr. Burnham took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said bill into consideration, had made some progress therein, and asked leave to sit again to-morrow. Reported, and leave asked to sit again.

Ordered, that the report be received, and leave granted accordingly. Leave granted.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to amend an Act passed in the fifty-fifth year of the reign of His late Majesty King George the Third, entitled, 'An Act to incorporate the Midland District School Society'" Midland District School Society's Incorporation amendment bill, committed.

The Honorable Mr. Stewart took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House. Reported.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time to-morrow. Adopted.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to raise a sum of money to Macadamize the roads leading from Brockville to Saint Francis, Charleston, Lyndhurst, Beverley and Portland, in the District of Johnstown, and to authorise the erection of toll-gates on the said roads." Brockville Road Macadamization bill, committed.

The Honorable Mr. Macaulay took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House. Reported.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time to-morrow. Adopted.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to provide for the improvement of the Highway from Canboro' to Simcoe," and the report of the Select Committee thereon. Canboro' and Simcoe Highway bill, re-committed.

The Honorable Mr. Markland took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said bill, and the report thereon, into consideration, had made some progress therein, and asked leave to sit again to-morrow. Reported, and leave asked to sit again.

Ordered, that the report be received, and leave granted accordingly. Leave granted.

Pursuant to the order of the day, the bill entitled, "An Act to authorise the erection of the County of Oxford into a separate District, by the name of the District of Brock," was read a second time; and it was, Brock District erection bill, read second time.

Ordered, that the House be put into a Committee of the whole, to-morrow, to take the same into consideration.

It was moved and seconded, that an Address be presented to His Excellency the Lieutenant Governor, in the following words: Address to His Excellency moved;

Wednesday, 22nd February, 1837.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

Requesting him to transmit the joint Address to the King, relating to the Currency.

To His Excellency SIR FRANCIS BOND HEAD, *Knight Commander of the Royal Hanoverian Guelphic Order, Knight of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY :

Address.

We, His Majesty's dutiful and Loyal Subjects, the Legislative Council and House of Assembly of Upper Canada, in Provincial Parliament assembled, have agreed to an humble Address to His Majesty, on the subject of a Despatch from the Right Honorable Lord Glenelg, transmitted by Your Excellency to the two Houses on the nineteenth day of December last, relating to the Currency, which we respectfully pray Your Excellency will be pleased to transmit to the Secretary of State for the Colonies, in order that it may be laid at the foot of the Throne.

Adopted, and sent to the Assembly for concurrence.

Ordered, that the foregoing Address be adopted, and the same be sent to the Commons House of Assembly by the Master in Chancery, for the concurrence of that House.

On motion made and seconded; it was,

A Member added to the Select Committee upon Boundary Line Commissioners' appointment bill.

Ordered, that the Honorable Mr. Macaulay be added to the Select Committee to whom was referred the bill entitled, "An Act to authorise the appointment of Commissioners in the several Districts of this Province, for the settlement of disputes concerning Boundary Lines within such Districts, respectively."

Report of the Select Committee upon British North America Bank bill, presented.

The Honorable Mr. Macaulay, from the Select Committee to whom was referred the bill entitled, "An Act to enable the Proprietors or Shareholders of a Company called the Bank of British North America, to sue and be sued in the name of any one of the local Directors, or Manager for the time being, of the said Company in this Province, and for other purposes therein mentioned," presented their Report.

Ordered, that it be received; and,

Read.

The same was then read by the Clerk, as follows:

The Report.

Your Committee appointed to report upon a bill entitled, "An Act to enable the Proprietors or Shareholders of a Company called the Bank of British North America, to sue and be sued in the name of any one of the local Directors, or Manager for the time being, of the said Company in this Province, and for other purposes therein mentioned," beg leave to state:—

That the bill is similar to the printed copy, with the exception of the 16th, 17th, 18th, 19th, 20th and 21st clauses; the first of which provides, that if the Company shall neglect to make the returns, as required in the enactment, they shall pay the sum of five hundred pounds for each omission.

The second, requires that any penalties, &c. imposed by the Act, shall be recovered in any Court of Record, at the suit of His Majesty's Attorney General.

The third, provides that the Company shall once in each year, if required by either branch of the Legislature, lay before them such an account of their affairs within this Province, as is now by law required of the Bank of Upper Canada.

The fourth, requires that no Notes of a less amount than 5s. shall be issued, and that they shall be payable on demand, under a forfeiture for every offence, of £25.

The fifth, enacts that if the Company shall at any time refuse to redeem their Notes, &c. in specie, they shall cease to continue Banking until such redemption is resumed.

The last, provides that the Legislature may at any time interfere with this institution in the same manner as it can now by law do so with any Bank in this Province.

In those clauses, there does not appear to be any thing prejudicial to the measure, with the exception of the one requiring a statement similar to that of the Bank of Upper Canada, which your Committee do not think can be properly required from a Company which is liable to the whole amount of their private fortunes, nor can it indeed, be complied with, as the institutions are too dissimilar to carry the provision into full effect.

They have, however, ascertained from a person interested in the bill, and acquainted with the views of the Company, that they would prefer letting it go into effect in its present shape to the risk of losing the measure, trusting, should any inconvenience arise, to its being amended upon some future occasion.

All which is respectfully submitted,

(Signed) GEORGE H. MARKLAND,  
CHAIRMAN.

Committee Room, Legislative Council,  
Twenty-first February, 1837.

Wednesday, 22nd February, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

On motion made and seconded; it was,

Ordered, that the last mentioned bill, and the report thereon, be referred to a Committee of the whole House, to-morrow.

The Honorable Mr. Allan, from the Select Committee to whom was referred the bill entitled, "An Act to increase the Capital Stock of the Bank of Upper Canada, and to alter and amend the Charter thereof; and also to increase the Capital Stock of the Commercial Bank of the Midland District, and for other purposes therein-mentioned," presented their Report.

Report of the Select Committee upon Upper Canada and Commercial Banks increase stock bill, presented.

Ordered, that it be received; and,

The same was then read by the Clerk, as follows:

Read.

The Select Committee to whom was referred the bill entitled, "An Act to increase the Capital Stock of the Bank of Upper Canada, and to alter and amend the Charter thereof; and also to increase the Capital Stock of the Commercial Bank of the Midland District, and for other purposes therein-mentioned," beg leave to report:

The Report.

They have examined the several clauses of the said bill, and they recommend the following amendments:—

In the title, line 3—After "thereof," expunge the remainder.

Press 5, line 11—After "Province," insert "other than the Home District."

" " " 20—Expunge "three," and insert "two"

" " " 21—Expunge "two," and insert "three"

" 6, " 9—After "Bank," insert "if they shall deem it necessary"

" " " 14—After "established," expunge the remainder of the clause.

" 7, " 23—Expunge "twenty-second," and insert "twentieth"

" 9, " 8—After word "all," insert "sums or"

" " " 9—After the word "derived," insert "then"—and after the word "in," insert "or which may thereafter come into"

" " " 11—After the word "regards," insert "the safe keeping of"

" 10, " 7—After the word "obligations," expunge "nor any monies received upon deposit in said Bank, nor any of its offices of discount and deposit"

" " " 9—After the word "demand," insert "at its Banking-house in Toronto"

" " " 10—After the word "the," insert "said"

" " " 11—After the word "expressed," expunge "or shall neglect or refuse to pay on demand any monies received in said Bank, or in any of its offices aforesaid, on deposit."

" " " 14—After the word "obligation," expunge "or the person or persons entitled to demand and receive such monies"

" " " 16—After the word "notes," insert "or"

" " " 16—After the word "obligation," expunge "or monies"

" 11—Expunge the 22nd, 23rd, 24th, 25th, 26th, 27th, 28th, 29th and 30th clauses, and in lieu thereof insert "And be it further enacted by the authority aforesaid, that nothing in this Act contained shall extend, or be construed to extend, to compel the President, Directors and Company, of the Bank of Upper Canada to accept of the provisions of this Act, if they shall express their dissent therefrom to the Governor, Lieutenant Governor, or Person Administering the Government of this Province, within one month after the passing of the same."

Your Committee beg leave to state that they have proposed the expunging of the clauses relating to the increase of the Capital Stock of the Commercial Bank of the Midland District, because it has not been the usage of your Honorable House to allow such things as have no proper relation to each other to be included in one and the same Act. Moreover your Honorable House is well aware that by the general Royal Instructions for the Government of Upper Canada, it is expected that each different matter shall be provided for by a different law.

Your Committee therefore recommend, that that part of the Bill only should be adopted, with the amendments suggested, which refers to the principal matter contained in it, leaving the secondary matter to be taken up and disposed of according to its merits, when presented to the notice of your Honorable House in a distinct and separate bill.

All which is respectfully submitted.

(Signed) W. ALLAN,  
CHAIRMAN.

Committee Room, Legislative Council,

Twenty-second day of February, 1837.



Thursday, 23rd February, 1837.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

On motion made and seconded; it was,

Ordered, that the last mentioned bill, and the report of the Select Committee thereon, be referred to a Committee of the whole House, to-morrow.

Report of the Select Committee upon Grantham Navigation Company's incorporation bill, presented.

The Honorable Mr. Baldwin, from the Select Committee to whom was referred the bill entitled, "An Act to incorporate certain persons under the style and title of the Grantham Navigation Company," presented their Report.

Ordered, that it be received; and,

Read.

The same was then read by the Clerk, as follows:

The Report.

Your Committee, to whom was referred the bill sent up from the Assembly, entitled, "An Act to incorporate certain persons under the style and title of the Grantham Navigation Company," beg leave to report:

That they have examined the bill, and had various communications with gentlemen deeply concerned in the success of the Welland Canal, and all agree in their assurances that the contemplated work cannot injure the Canal.

W. H. Merritt, Esquire, says—"The Welland Canal is in no way affected injuriously by this Navigation, but on the contrary, it will materially aid that work: inasmuch as it commences at the Welland Canal, and extends up the Mountain, in the valley of the Twelve-mile Creek, and will open many valuable stone quarries in that direction, to aid the improvement and works on the Canal, besides reaching mills and machinery up that stream." Your Committee, therefore, feel no hesitation in recommending the bill to the favourable consideration of your Honorable House.

All which is respectfully submitted,

(Signed) A. BALDWIN,  
CHAIRMAN.

Committee Room, Legislative Council,

Twenty-second February, 1837.

On motion made and seconded; it was,

Ordered, that the last-mentioned bill, and the report of the Select Committee thereon, be referred to a Committee of the whole House, to-morrow.

Sutton's patent right bill, brought in.

The Honorable Mr. Macaulay brought in a bill, for securing to James Sutton a Patent right of certain inventions.

Read first time.

The said bill was then read; and it was,

Ordered, that the same be read a second time to-morrow.

Petitions of the inhabitants of the City of Toronto; Of George Buchanan, and others;

Pursuant to the order of the day, the petition of the Chairman at a public meeting of the inhabitants of the City of Toronto, praying for an Act authorising a loan to the Toronto and Lake Huron Rail-road Company; also the petition of George Buchanan, and others, inhabitants of the District of Bathurst, praying for a grant of £5,000, to be expended in the construction of a Lock at Chat's Rapids on the River Ottawa; also the petition of the President, Vice President and Directors, of the Bank of Montreal, praying for relief; also the petition of James Sutton, a Citizen of the United States of America, praying for an Act authorising the granting to him a Patent for certain inventions; and also the petition of the President and Directors of the Tay Navigation Company, praying for a grant of £500; were severally read.

Of the President, &c. of the Bank of Montreal;

Of James Sutton; and

Of the President, &c. of the Tay Navigation Company, read.

House adjourns.

On motion made and seconded, the House adjourned until to-morrow, at eleven of the clock, A. M.

THURSDAY, 23rd FEBRUARY, 1837.

House meets.

The House met pursuant to adjournment.

PRESENT:

Members present.

The Honorable JOHN B. ROBINSON, SPEAKER.

The Honorable Messrs. BURNHAM,

The Honorable Messrs. DICKSON,

" " ELMSLEY,

" " JONES,

" " ADAMSON,

" " McDONELL.

" " JAMES KERBY.

Prayers were read.

The Minutes of yesterday were read.

Erie and Ontario Rail-road Company's Loan bill, read third time and passed.

Pursuant to the order of the day, the bill entitled, "An Act to loan a sum of money to the Erie and Ontario Rail-road Company," was read a third time and passed:

Thursday, 23rd February, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

Whereupon the Speaker signed the same; and it was,

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill without any amendment.

A Deputation from the Commons House of Assembly brought up an Address to His Excellency the Lieutenant Governor, on the subject of the War Losses, to which they requested the concurrence of this House, and then withdrew.

The said Address was then read as follows:

*To His Excellency SIR FRANCIS BOND HEAD, Knight Commander of the Royal Hanoverian Guelphic Order, Knight of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY:

We, His Majesty's dutiful and loyal Subjects, the Legislative Council and House of Assembly of the Province of Upper Canada, in Provincial Parliament assembled, humbly pray that Your Excellency will be pleased to issue your Warrant on the Receiver General of the Province, directing the payment of the sum of Seventeen Thousand, Nine Hundred and Ten Pounds, out of any funds that may be in his hands, not otherwise appropriated, in liquidation of the balance due to the sufferers by the late War with the United States of America; the Legislature having provided for the payment of Twenty Thousand Pounds, upon the assurance of His Majesty's Principal Secretary of State for the Colonies, that application would be made to the Imperial Parliament for the means of discharging the amount of the said sum of Seventeen Thousand, Nine Hundred and Ten Pounds, required in order to effect the complete satisfaction of the whole of the War Claims.

(Signed) ARCHIBALD McLEAN,  
SPEAKER.

*Commons House of Assembly,*  
22nd day of February, 1837.

On motion made and seconded; it was,

Ordered, that the foregoing Address be referred to a Committee of the whole House, this day.

The Honorable Messieurs Markland, Allan, Baldwin, Hamilton and Stewart, enter.

Pursuant to the order of the day, the bill entitled, "An Act for granting a sum of money to defray a part of the expense to finish the Survey of the River Thames, from Chatham to London;" also the bill entitled "An Act to amend an Act passed in the fifty-fifth year of the reign of His late Majesty George the Third, entitled, 'An Act to incorporate the Midland District School Society;" and also the bill entitled, "An Act to raise a sum of money to Macadamize the roads leading from Brockville to St. Francis, Charleston, Lyndhurst, Beverley and Portland, in the District of Johnstown, and to authorise the erection of toll-gates on the said roads;" were severally read a third time, and passed:

Whereupon the Speaker signed the same; and it was,

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed these bills without any amendment.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to provide for the payment, in certain cases, of the interest on the loan for the construction of the Great Western Rail-road."

The Honorable Mr. Dickson took the Chair.

After some time, the House resumed.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time to-morrow.

A Deputation from the Commons House of Assembly brought up a bill entitled, "An Act to amend the law relating to the Court of Requests," to which they requested the concurrence of this House, and then withdrew.

The said bill was then read; and it was,

Ordered, that the same be read a second time to-morrow.

Same signed:

And the Assembly acquainted thereof.

Address to the Lieutenant Governor, on the subject of the War Losses, brought up from the Assembly.

Read.

The Address.

Members enter.

River Thames Survey bill;

Midland District School Society's incorporation amendment bill; and,

Brockville road Macadamization bill, read third time, and passed.

Same signed;

And the Assembly acquainted thereof.

Great Western Rail-road Company's interest payment bill, committed.

Reported.

Adopted.

Court of Requests law amendment bill, brought up from the Assembly.

Read first time.

Thursday, 23rd February, 1837.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

<p>Notice of a motion for restoring Freeholders' Bank bill to the order of the day.</p>	<p>The Honorable Mr. Elmsley gave notice that he would, on to-morrow, move that the Freeholders' Bank bill be restored to the order of the day.</p>
<p>Amendments of the Assembly to English and other Attornies admission bill, committed.</p>	<p>Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the amendments of the Commons House of Assembly, made in and to the bill sent down from this House, entitled, "An Act to amend the law for the admission of Attornies, and to provide for the further relief of William Conway Keele."</p> <p>The Honorable Mr. Burnham took the Chair.</p> <p>After some time the House resumed.</p>
<p>Reported.</p>	<p>The Chairman reported that the Committee had gone through the said amendments, and recommended the same to the adoption of the House.</p>
<p>Adopted.</p>	<p>Ordered, that the report be received; and,</p> <p>Ordered, that the said amendments be read a third time to-morrow.</p>
<p>Parliament dissolution prevention bill, re-committed.</p>	<p>Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to prevent the dissolution of the Parliament of this Province, in the event of a demise of the Crown."</p> <p>The Honorable Mr. Baldwin took the Chair.</p> <p>After some time the House resumed.</p>
<p>Amendments reported.</p>	<p>The Chairman reported that the Committee had gone through the said bill, and had made some amendments thereto, which they recommended to the adoption of the House.</p> <p>Ordered, that the report be received to-morrow.</p>
<p>District of Simcoe erection bill, re-committed.</p>	<p>Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to authorise the erection of the County of Simcoe into a separate District, by the name of the District of Simcoe."</p> <p>The Honorable Mr. Hamilton took the Chair.</p> <p>After some time the House resumed.</p>
<p>Reported; and,</p>	<p>The Chairman reported that the Committee had taken the said bill again into consideration, had made some further progress therein, and recommended that it be referred to a Select Committee, to report thereon by amendment or otherwise.</p> <p>Ordered, that the report be received; and,</p>
<p>Referred to a Select Committee.</p>	<p>Ordered, that the said bill be referred to a Select Committee, to report thereon by amendment or otherwise; and,</p>
<p>Members composing same.</p>	<p>Ordered, that the Honorable Messieurs Baldwin and James Kerby, do compose the same for that purpose.</p>
<p>Brock District erection bill, committed.</p>	<p>Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to authorise the erection of the County of Oxford into a separate District, by the name of the District of Brock."</p> <p>The Honorable Mr. Adamson took the Chair.</p> <p>After some time the House resumed.</p>
<p>Reported; and,</p>	<p>The Chairman reported that the Committee had taken the said bill into consideration, had made some progress therein, and recommended that it be referred to the Select Committee last mentioned, to report thereon, by amendment or otherwise.</p> <p>Ordered, that the report be received; and,</p>
<p>referred to the Select Committee last-mentioned.</p>	<p>Ordered, that the said bill be referred to the Select Committee last mentioned, to report thereon by amendment or otherwise.</p>
<p>A Member enters.</p>	<p>The Honorable Mr. Macaulay enters.</p>
<p>British North America Bank bill, re-committed.</p>	<p>Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to enable the Proprietors or Shareholders of a Company called the Bank of British North America, to sue and be sued in the name of any one of the local Directors, or Manager for the time being, of the said Company in this Province, and for other purposes therein-mentioned," and the report of the Select Committee thereon.</p> <p>The Honorable Mr. Elmsley took the Chair.</p> <p>After some time the House resumed.</p>
<p>Reported.</p>	<p>The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.</p>
<p>Adopted.</p>	<p>Ordered, that the report be received; and,</p> <p>Ordered, that the said bill be read a third time to-morrow.</p>

Friday, 24th February, 1837.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

FRIDAY, 24th FEBRUARY, 1837.

House meets.

The House met pursuant to adjournment.

## PRESENT :

Members present.

*The Honorable* JOHN B. ROBINSON, SPEAKER.  
*The Honorable Messrs.* DICKSON,  
 " " MARKLAND,  
 " " JONES,  
 " " McDONELL,  
 " " BURNHAM.

*The Honorable Messrs.* BALDWIN,  
 " " HAMILTON,  
 " " ADAMSON,  
 " " JAMES KERBY,  
 " " STEWART.

Prayers were read.

The Minutes of yesterday were read.

London and Gore  
Rail-road Company's  
charter amendment  
and loan bill ;  
Great Western  
Rail-road Company's  
interest payment bill ;  
And British North  
America Bank bill,  
read third time, and  
passed.

Pursuant to the order of the day, the bill entitled, "An Act to alter and amend the Act incorporating sundry persons under the name of the London and Gore Rail-road Company, and to grant them a sum of money by way of loan"; also the bill entitled, "An Act to provide for the payment, in certain cases, of the interest on the loan for the construction of the Great Western Rail-road"; and also the bill entitled, "An Act to enable the Proprietors or Shareholders of a Company called the Bank of British North America, to sue and be sued in the name of any one of the local Directors, or Manager for the time being, of the said Company in this Province, and for other purposes therein-mentioned," were severally read a third time and passed.

Same signed ;

Whereupon the Speaker signed the same ; and it was,

And the Assembly  
acquainted thereof.

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed these bills, without any amendment.

Amendments of the  
Assembly to  
English and other  
Attornies admission  
bill, read third time  
and passed.

Pursuant to the order of the day, the amendments of the Commons House of Assembly, made in and to the bill sent down from this House, entitled, "An Act to amend the law for the admission of Attornies, and to provide for the further relief of William Conway Keele," were read a third time and passed :

Same signed ;

Whereupon the Speaker signed the same ; and it was,

And the Assembly  
acquainted thereof.

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has acceded to their amendments, made in and to the said bill.

Canboro' and Simcoe  
Highway bill,  
re-committed.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to provide for the improvement of the Highway from Canboro' to Simcoe," and the report of the Select Committee thereon.

The Honorable Mr. Hamilton took the Chair.

After some time the House resumed.

Reported, and leave  
asked to sit again.

The Chairman reported that the Committee had taken the said bill, and the report thereon, into consideration, had made some further progress therein, and asked leave to sit again this day.

Leave granted.

Ordered, that the report be received, and leave granted accordingly.

A Member enters.

The Honorable Mr. Elmsley enters.

Address of the  
Assembly to His  
Excellency on the  
War Losses,  
committed.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the Address of the Commons House of Assembly to His Excellency the Lieutenant Governor, on the subject of the War Losses.

The Honorable Mr. Adamson took the Chair.

After some time the House resumed.

Amendment reported.

The Chairman reported that the Committee had gone through the said Address, and had made an amendment thereto, which they recommended to the adoption of the House.

Ordered, that the report be received; and,

Read first time.

The said amendment was then read as follows :

The amendment.

Press 1, line 16—After "pounds," insert "Sterling"

Read second time,  
and adopted.

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House ; and it was,

Ordered that it be engrossed, and the same read a third time this day.

Thursday, 23rd February, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to increase the Capital Stock of the Bank of Upper Canada, and to alter and amend the Charter thereof; and also to increase the Capital Stock of the Commercial Bank of the Midland District, and for other purposes therein-mentioned," and the report of the Select Committee thereon.

Upper Canada and Commercial Banks increase stock bill, committed.

The Honorable Mr. Baldwin took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said bill, and the report thereon, into consideration, had made some progress therein, and asked leave to sit again to-morrow.

Reported, and leave asked to sit again.

Ordered, that the report be received, and leave granted accordingly.

Leave granted.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to incorporate certain persons under the style and title of the Grantham Navigation Company," and the report of the Select Committee thereon.

Grantham Navigation Company's incorporation bill, re-committed.

The Honorable Mr. James Kerby took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said bill and report into consideration, had made some progress therein, and asked leave to sit again to-morrow.

Reported, and leave asked to sit again.

Ordered, that the report be received, and leave granted accordingly.

Leave granted.

Pursuant to the order of the day, the bill entitled, "An Act to amend an Act passed during the last Session, entitled, 'An Act to improve the Navigation of the Inland Waters of the District of Newcastle'; also the bill entitled, "An Act to amend an Act passed during the last Session, entitled, 'An Act granting a sum of money for improving the Hill at the River Rouge, and other purposes therein-mentioned'; also the bill entitled, "An Act to amend an Act passed during the last Session, entitled, 'An Act to amend an Act passed in the first Session of the present Parliament, entitled 'An Act granting a sum of money for the erection of a Light-house on Gull Island, or such other place as the Commissioners may select'; and also the bill for securing to James Sutton a Patent right of certain inventions, were severally read a second time; and it was,

Newcastle Inland Navigation amendment bill;

Rouge Hill grant amendment bill;

Gull Island Light-house grant amendment bill; and,

Sutton's patent right bill, read second time.

Ordered, that the House be put into Committees of the whole to-morrow, to take the same into consideration.

The Honorable Mr. Macaulay brought up the petition of the Magistrates of the Midland District; which was laid on the table.

Petition of the Magistrates of the Midland District, brought up.

The Honorable Mr. Burnham, from the Select Committee to whom was referred the bill entitled, "An Act to Naturalize certain persons therein-mentioned," presented their Report.

Report of the Select Committee upon Edwoods, and others, Naturalization bill, presented.

Ordered, that it be received; and,

The same was then read as follows:

Read.

The Select Committee to whom was referred the bill sent up from the House of Assembly, entitled, "An Act to Naturalize certain persons therein-mentioned," beg leave to report:

The Report.

Your Committee have examined the said bill, and understand that the following persons named in the bill have not petitioned either branch of the Legislature:

John Weaver, Jonathan Powell, Reuben Powell, Cornelius Puffer, Amos G. Canby.

Your Committee are of opinion, that these names should be struck out, and the remaining persons mentioned in the bill, your Committee recommend to the favourable consideration of your Honorable House.

All which is respectfully submitted,

(Signed) Z. BURNHAM,  
CHAIRMAN.

*Committee Room, Legislative Council,*

Twenty-third day of February, 1837.

On motion made and seconded; it was,

Ordered, that the last-mentioned bill, and the report of the Select Committee thereon, be referred to a Committee of the whole House, to-morrow.

On motion made and seconded, the House adjourned until to-morrow, at the hour of eleven of the clock, A.M.

House adjourns.

Friday, 24th February, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to increase the Capital Stock of the Bank of Upper Canada, and to alter and amend the Charter thereof; and also to increase the Capital Stock of the Commercial Bank of the Midland District, and for other purposes therein-mentioned," together with the report of the Select Committee thereon. Upper Canada and Commercial Banks increase stock bill, re-committed.

The Honorable Mr. Baldwin took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and had made some amendments thereto, which they recommended to the adoption of the House. Amendments reported.

Ordered, that the report be received; and,

The said amendments were then read as follows: Read first time.

In the title, line 3—After "thereof," expunge the remainder.

In the bill—Press 5, line 11—After "Province," insert "other than the Home District."

Press 5, line 20—Expunge "three," and insert "two" The amendments.

" " " 21—Expunge "two," and insert "three"

" 6, " 9—After "Bank," insert "if they shall deem it necessary"

" " " 14—After "established," expunge the remainder of the clause.

" 7, " 23—Expunge "twenty-second," and insert "twentieth"

" 9, " 8—After the word "all," insert "sums or"

" " " 9—After the word "derived," insert "then"—and after the word "in," insert "or which may thereafter come into"

" " " 11—After the word "regards," insert "the safe keeping of"

" 10, " 7—After the word "obligations," expunge "nor any monies received upon deposit in said Bank, nor in any of its offices of discount and deposit"

" " " 9—After the word "demand," insert "at its Banking-house in Toronto"

" " " 10—After the word "the," insert "said"

" " " 11—After the word "expressed," expunge "or shall neglect or refuse to pay on demand any monies received in said Bank, or in any of its offices aforesaid, on deposit."

" " " 14—After the word "obligation," expunge "or the person or persons entitled to demand and receive such monies"

" " " 16—After the word "notes," insert "or"

" " " 16—After the word "obligation," expunge "or monies"

" 11—Expunge the 22nd, 23rd, 24th, 25th, 26th, 27th, 28th, 29th and 30th clauses, and in lieu thereof insert "And be it further enacted by the authority aforesaid, that nothing in this Act contained shall extend, or be construed to extend, to compel the President, Directors and Company, of the Bank of Upper Canada to accept of the provisions of this Act, if they shall express their dissent therefrom to the Governor, Lieutenant Governor, or Person Administering the Government of this Province, within one month after the passing of the same."

The said amendments being read a second time, and the question of concurrence put on each, they were severally agreed to by the House; and it was. Read second time, and adopted.

Ordered, that they be engrossed, and the said bill, as amended, read a third time to-morrow.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to incorporate certain persons under the style and title of the Grantham Navigation Company," and the report of the Select Committee thereon. Grantham Navigation Company's incorporation bill, re-committed.

The Honorable Mr. Markland took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House. Reported.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time to-morrow. Adopted.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to amend an Act passed during the last Session, entitled, 'An Act to improve the Navigation of the Inland Waters of the District of Newcastle.'" Newcastle Inland Navigation bill, committed.

The Honorable Mr. Stewart took the Chair.

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After some time the House resumed.

Reported.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Adopted.

Ordered, that the report be received.

Rouge Hill grant amendment bill, committed.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to amend an Act passed during the last Session, entitled, 'An Act granting a sum of money for improving the Hill at the River Rouge, and other purposes therein-mentioned.'"

The Honorable Mr. Allan took the Chair.

After some time the House resumed.

Reported.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Adopted.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time to-morrow.

Members enter.

The Honorable Messieurs Macaulay and Vankoughnet, enter.

General Light House grant bill;

Deputations from the Commons House of Assembly brought up a bill entitled, "An Act granting to His Majesty a sum of money for the erection of certain Light-houses within the Province, and for other purposes therein mentioned;" also a bill entitled, "An Act granting a Salary to the Clerk of the Crown in Chancery, and for other purposes therein mentioned;" also a bill entitled, "An Act to remunerate the Honorable John Henry Dunn for services rendered to this Province;" also a bill entitled, "An Act granting a further loan to complete the Desjardin's Canal, and for other purposes therein mentioned;" also a bill entitled, "An Act authorising His Majesty to loan a sum of money to the Credit Harbour Company;" and also a bill entitled, "An Act granting a sum of money, by way of loan, to the Upper Canada Academy, at Cobourg;" to which they requested the concurrence of this House, and then withdrew.

Clerk of the Crown in Chancery's salary bill;

Hon. J. H. Dunn's remuneration bill;

Desjardin's Canal Company's loan bill;

Credit Harbour Company's loan bill; and,

U. C. Academy loan bill, brought up from the Assembly.

Read first time.

The said bills were then severally read; and it was,

Ordered, that they be read a second time to-morrow.

Penitentiary provision bill;

Toronto Hospital grant bill; and

Kingston Hospital aid bill, brought up from the Assembly.

Deputations from the Commons House of Assembly brought up a bill entitled, "An Act providing for the support of the Provincial Penitentiary"; also a bill entitled, "An Act granting a sum of money in aid of the 'Toronto Hospital'; and also a bill entitled "An Act granting a sum of money in aid of the Kingston Hospital," to which they requested the concurrence of this House, and then withdrew.

Read first time.

The said bills were then severally read; and it was,

Forty-fourth rule dispensed with.

Ordered, that the forty-fourth rule of this House be dispensed with as it regards these bills, and that they be read a second time this day.

Motion for passing Freeholders' Bank incorporation bill.

Pursuant to notice, it was moved and seconded, that the bill entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Freeholders' Bank of Upper Canada," do now pass:

Question put, and carried.

Whereupon the question of concurrence was put, and it was carried in the affirmative; and,

Bill passed.

The bill passed accordingly.

Same signed;

After which the Speaker signed the same; and it was,

And the Assembly acquainted thereof.

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill without any amendment.

Gull Island Light-house grant amendment bill, committed.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to amend an Act passed during the last Session, entitled, 'An Act to amend an Act passed in the first Session of the present Parliament, entitled 'An Act granting a sum of money for the erection of a Light-house on Gull Island, or such other place as the Commissioners may select.'"

The Honorable Mr. Elmsley took the Chair.

After some time the House resumed.

Reported; and,

The Chairman reported that the Committee had taken the said bill into consideration, had made some progress therein, and recommended that it be referred to a Select Committee, with power to send for persons and papers, and to report thereon by amendment or otherwise.

Ordered, that the report be received; and,

Referred to a Select Committee.

Ordered, that the said bill be referred to a Select Committee, with power to send for persons and papers, and to report thereon by amendment or otherwise; and,

Friday, 24th February, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

Ordered, that the Honorable Messieurs Burnham, Adamson and Vankoughnet, do compose the same for that purpose. Members composing same.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill for securing to James Sutton a Patent right of certain inventions. Sutton's patent right bill, committed.

The Honorable Mr. Stewart took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said bill into consideration, had made some progress therein, and asked leave to sit again this day three months. Reported, and leave asked to sit again, in three months.

Ordered, that the report be received, and leave granted accordingly. Leave granted.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to Naturalize certain persons therein-mentioned," and the report of the Select Committee thereon. Edwoods, and others, Naturalization bill, committed.

The Honorable Mr. Burnham took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said bill and report into consideration, had made some progress therein, and asked leave to sit again to-morrow. Reported, and leave asked to sit again.

Ordered, that the report be received, and leave granted accordingly. Leave granted.

Pursuant to the order of the day, the amendments made by the Committee of the whole, upon the bill entitled, "An Act to prevent the dissolution of the Parliament of this Province in the event of a demise of the Crown," were received; and, Amendments to Parliament dissolution prevention bill, received.

The same were then read by the Clerk, as follows: Read first time.

Line 1.—After "provide," expunge the whole of the preamble, and insert "against the great inconvenience which might ensue from the inevitable dissolution of the Provincial Parliament upon a demise of the Crown, on any future occasion." The amendments.

" 19—After "same," expunge the remainder of the bill, and insert "that the Parliament of this Province shall not, in any case, be deemed to be determined or dissolved by the death or demise of His Majesty, his heirs or successors, nor shall any Session of the Parliament of this Province be deemed to be determined, or the proceedings therein pending, in any manner abated, interrupted or affected by the demise of His Majesty, his heirs or successors, but, notwithstanding such death or demise, the Parliament of this Province shall continue, and if sitting, shall proceed to act until dissolved or prorogued in the usual manner, or until the legal expiration of the term of such Parliament."

The said amendments being read a second time, and the question of concurrence put on each, they were severally agreed to by the House; and it was, Read second time, and adopted.

Ordered, that the said amendments be engrossed, and the said bill, as amended, read a third time to-morrow.

Pursuant to the order of the day, the bill entitled, "An Act to amend the law relating to the Court of Requests," was read a second time; and it was, Court of Requests law amendment bill, read second time.

Ordered, that the House be put into a Committee of the whole, to-morrow, to take the same into consideration.

The Honorable Mr. Markland, from the Select Committee to whom was referred the bill entitled, "An Act to provide for the appointment of Trustees of School Lands, in the several Districts of this Province, and for other purposes therein-mentioned," presented their Report. Report of the Select Committee upon School Lands Trustee bill, presented.

Ordered, that it be received; and,

The same was then read by the Clerk, as follows: Read.

Your Committee, appointed to take into consideration, "An Act to provide for the appointment of Trustees of School Lands, in the several Districts of this Province, and for other purposes therein-mentioned," beg leave to state:— The Report.

That they have examined the same, and find it chiefly to consist of provisions for the appointment of District Boards or Trustees, to whose disposal will be assigned a certain portion of the School Lands within this Province, as the share of each such District.

Your Committee have ascertained that there are School Lands in only two of the eleven Districts which were set apart before the commencement of this Session, viz: in the Midland District, and in the London District. They therefore fear that more inconvenience than advantage will arise from the intended arrangement; especially, as they find that the lands are now being disposed of by active and efficient agents, and the monies paid into the hands of the



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Receiver General, which can be more conveniently apportioned after it arrives at a sufficient amount.

They are therefore inclined to recommend that no further proceeding take place upon this measure at present, more especially, as they have learned that there is reason to suppose that the concurrence of this Honorable House will be requested to a bill establishing District Boards of Education throughout this Province, and it is desirable to learn how far those two measures may be combined to attain the objects embraced in both.

All which is respectfully submitted,

(Signed) GEORGE H. MARKLAND,

CHAIRMAN.

*Committee Room, Legislative Council,*

Twenty-fourth February, 1837.

On motion made and seconded; it was,

Ordered, that the last-mentioned bill, and the report of the Select Committee thereon, be referred to a Committee of the whole House, to-morrow.

Report of the Select Committee upon District of Simcoe erection bill, presented.

The Honorable Mr. Baldwin, from the Select Committee to whom was referred the bill entitled, "An Act to authorise the erection of the County of Simcoe into a separate District, by the name of the District of Simcoe," presented their Report.

Ordered, that it be received; and,

Read.

The same was then read by the Clerk, as follows:

The Report.

The Select Committee to whom was referred the bill sent up from the Commons House of Assembly, entitled, "An Act to authorise the erection of the County of Simcoe into a separate District, by the name of the District of Simcoe," beg leave to report:

That they have examined the said bill, and compared it with other bills for a similar purpose, and find them generally agree; the eighteen townships composing the new District appears to be conformable to the recommendation of the Joint Committee on the general Division of the Province.

Your Committee, observing that a part of the County of Simcoe is left out in the new District, submit to your Honorable House, whether it may not be necessary to provide that those townships formerly included in the County of Simcoe, viz. Thorah, Mara and Rama, should, for the present, be added to the County of York.

All which is respectfully submitted,

(Signed) A. BALDWIN,

CHAIRMAN.

*Committee Room, Legislative Council,*

Twenty-fourth day of February, 1837.

On motion made and seconded; it was,

Ordered, that the last-mentioned bill, and the report of the Select Committee thereon, be referred to a Committee of the whole House, to-morrow.

A Member enters.

The Honorable and Venerable the Archdeacon of York, enters.

Canboro' and Simcoe Highway bill, re-committed.

Pursuant to order, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to provide for the improvement of the Highway from Canboro' to Simcoe," and the report of the Select Committee thereon.

The Honorable Mr. James Kerby took the Chair.

House resumes.

After some time the House resumed.

Address to His Excellency, on the War Losses, as amended, read third time, and passed.

Pursuant to order, the Address to His Excellency the Lieutenant Governor, on the subject of the War Losses, received from the Commons House of Assembly, was, as amended, read a third time and passed:

Whereupon the Speaker signed the amendment; and it was,

Amendment signed;

And sent to the Assembly for concurrence.

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this Address, with an amendment, to which they desire the concurrence of the Commons House of Assembly.

Report of the Select Committee upon Brock District erection bill, presented.

The Honorable Mr. Burnham, from the Select Committee to whom was referred the bill entitled, "An Act to authorise the erection of the County of Oxford into a separate District, by the name of the District of Brock," presented their Report.

Ordered, that it be received; and,

Read.

The same was then read by the Clerk, as follows:

Friday, 24th February, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

The Select Committee, to which has been referred the bill, entitled, "An Act to authorise the erection of the County of Oxford into a separate District, by the name of the District of Brock," beg leave to report: The Report.

That they have compared the first section of the bill with the report of the joint Committee, dated the 20th December, 1836, on the subject of the Division of Districts, and find that it has taken in Nissouri as a part of the intended new District of Brock, and left out the townships of Townsend, Windham, Bayham, Middleton, Charlotteville, Woodhouse, Houghton and Walsingham, together with the Promontory of Long Point, and such Islands being wholly or in greater part opposite thereto.

They have also called before them Colonel Burwell, M. P. P. and Captain Graham, R. N. residing at Woodstock, who have explained to the Committee that this new intended District, comprehending the above-named townships, is perfectly in accordance with the wishes of the inhabitants residing in the adjoining townships, and that the provisions in the said bill embraced, was applied for by petition to both Houses, and notified in the Gazette in the years 1833, and 1834, and that a similar course would have been pursued on the present occasion, had it not been understood by him to be unnecessary to put a notice in the Gazette; though this was omitted, a petition on the subject was presented at an early period of the present Session.

Your Committee conceive that this explanation will be found satisfactory to your Honorable House, so far as its established rules on this point are concerned.

Your Committee annex a memorandum of the amendments which they recommend to the consideration of your Honorable House.

All which is respectfully submitted,

(Signed) Z. BURNHAM,  
CHAIRMAN.

*Legislative Council Committee Room.*

Twenty-fourth day of February, 1837.

#### AMENDMENTS.

Press 12, line 9—After the word "be," expunge "levied," and insert "borrowed"

" " " 23—After the word "Township," expunge "and lands"

" 13, " 2—After the word "Township," expunge "and lands"

On motion made and seconded; it was,

Ordered, that the last mentioned bill, and the report of the Select Committee thereon, be referred to a Committee of the whole House, to-morrow.

Pursuant to order, the bill entitled "An Act granting a sum of money in aid of the Toronto Hospital," was read a second time; and it was,

Toronto Hospital  
grant bill, read second  
time.

Ordered, that the House be put into a Committee of the whole presently, to take the same into consideration.

The House was then put into a Committee of the whole accordingly.

Committed.

The Honorable Mr. Allan took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Reported.

Ordered, that the report be received; and,

Adopted.

Ordered, that the said bill be read a third time to-morrow.

Pursuant to order, the bill entitled, "An Act granting a sum of money in aid of the Kingston Hospital," was read a second time; and it was,

Kingston Hospital  
aid bill, read second  
time.

Ordered, that the House be put into a Committee of the whole presently, to take the same into consideration.

The House was then put into a Committee of the whole accordingly.

Committed.

The Honorable Mr. Dickson took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Reported.

Ordered, that the report be received; and,

Adopted.

Ordered, that the said bill be read a third time to-morrow.

Saturday, 25th February, 1837.

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Notice of a motion for extending certain privileges to the Farmers' Joint Stock Banking Company.

The Honorable Mr. Elmsley gave notice, that he would, on to-morrow, bring in a bill extending the provisions of the British North American Bank bill to the Farmers' Joint Stock Banking Company.

On motion made and seconded; it was,

Newcastle Inland Navigation amendment bill, ordered for a third reading.

Ordered, that the bill entitled, "An Act to amend an Act passed during the last Session, entitled, 'An Act to improve the Navigation of the Inland Waters of the District of Newcastle,'" be read a third time to-morrow.

Penitentiary provision bill, read second time.

Pursuant to order, the bill entitled, "An Act providing for the support of the Provincial Penitentiary," was read a second time; and it was,

Ordered, that the House be put into a Committee of the whole presently, to take the same into consideration.

Committed.

The House was put into a Committee of the whole accordingly.

The Honorable Mr. Macaulay took the Chair.

After some time the House resumed.

Reported.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Adopted.

Ordered, that the report be received; and,

Ordered, that the same be read a third time to-morrow.

Petition of the Magistrates of the Midland District, read.

Pursuant to the order of the day, the petition of the Magistrates of the Midland District, praying for an amendment of the Kingston Police Law, was read.

Commercial Bank increase stock bill, brought in. Read first time.

The Honorable Mr. Macaulay brought in a bill, for increasing the Capital Stock of the Commercial Bank of the Midland District.

The said bill was then read; and it was,

Ordered, that the same be read a second time to-morrow.

Petition of Thomas Smart, and others, brought up.

The Honorable Mr. Macaulay brought up the petition of Thomas Smart, and others, inhabitants of the District of Johnstown; which was laid on the table.

House adjourns.

On motion made and seconded, the House adjourned until to-morrow, at the hour of eleven of the clock, A. M.

SATURDAY, 25th FEBRUARY, 1837.

House meets.

The House met pursuant to adjournment.

PRESENT :

Members present.

*The Honorable* JOHN B. ROBINSON, SPEAKER.

*The Honorable Messrs.* DICKSON,

" " MARKLAND,

" " ALLAN,

" " McDONELL,

" " BURNHAM,

*The Honorable Messrs.* ELMSLEY,

" " BALDWIN,

" " ADAMSON,

" " JAMES KERBY,

" " STEWART,

" " VANKOUGHNET.

Prayers were read.

The Minutes of yesterday were read.

Protest of the Hon. Messrs. Macaulay and Vankoughnet, against the passing of British North American Bank bill.

To the bill passed yesterday, entitled, "An Act to enable the Proprietors or Shareholders of a Company called the Bank of British North America, to sue and be sued in the name of any one of the local Directors, or Manager for the time being, of the said Company in this Province, and for other purposes therein-mentioned,"

DISSENTIENT,

1st. Because, we consider it highly impolitic to surrender the monetary concerns of Upper Canada, in the manner recognized by this bill, to the influence of a powerful association of capitalists, who, being separated from the Province by the breadth of an Ocean, are, and must ever be, imperfectly acquainted with its people, and incapable of sympathizing with them in the varying circumstances of their social condition.

2nd. Because, the London capitalists, by means of this bill, will not only obtain the usual rate of interest on their money employed here, but also reap all those profits of Banking, which by means of more judicious legislation, might be retained in this Country for the benefit of its inhabitants.

3rd. Because, the Joint Stock Banking system, so called, being still a mere experiment in England, and its results in that Country remaining yet to be developed, we are not satisfied that

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SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

it is the most suitable system for this Colony, especially, while the leading Partners and Managers of any great institution of this kind reside in another hemisphere, and also while the public mind in Upper Canada continues to be agitated by various crude schemes for the establishment of Banks on novel principles, and no prudential laws have been, or appear likely to be passed by this Legislature, to regulate the general business of Banking, restrain the issue of the paper representatives of the King's Coin within safe limits, and guard the people from the impending evils of a spurious and depreciated currency.

(Signed) JOHN MACAULAY,  
" P. VANKOUGHNET.

To the bill passed yesterday, entitled, "An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Freeholders' Bank of Upper Canada,"

Protest of the Hon. the Speaker, and of the Hon. Mr. Vankoughnet, against the passing of Freeholders' Bank incorporation bill.

DISSENTIENT,

1st. Because, we believe the measure can never be carried into effect, and that if the bill in its present shape, should become a law, it will be wholly inoperative and nugatory.

2nd. Because, the readiness with which the Legislature embraces the various schemes for creating Banks, seems to imply a want of prudent regard to the real interests of Agriculture and Commerce, which are promoted rather by patient industry than by a wild spirit of speculation; and because, in our opinion, the establishment of a multitude of Banks diminishes the chance of fair accommodation to the public, from the embarrassment which they occasion to the operations of each other, while at the same time the danger of an excessive issue, and of substituting paper of doubtful value for Specie and for the Bills of Banks of established credit, is unnecessarily incurred.

(Signed) JOHN B. ROBINSON,  
" P. VANKOUGHNET.

Pursuant to the order of the day, the bill entitled, "An Act to increase the Capital Stock of the Bank of Upper Canada, and to alter and amend the Charter thereof; and also to increase the Capital Stock of the Commercial Bank of the Midland District, and for other purposes therein mentioned"; and also the bill entitled, "An Act to prevent the dissolution of the Parliament of this Province, in the event of a demise of the Crown," were severally read a third time, (as amended) and,

Upper Canada and Commercial Banks increase stock bill; and Parliament dissolution prevention bill, as amended, read third time, and passed.

The question being put, whether these bills, as amended, should pass, it was carried in the affirmative:

Whereupon the Speaker signed the amendments; and it was,

Amendments signed;

Ordered, that the Master in Chancery do go down to the Assembly and acquaint that House, that the Legislative Council has passed these bills with amendments, to which they desire the concurrence of the Commons House of Assembly.

And sent to the Assembly for concurrence.

Pursuant to the order of the day, the bill entitled, "An Act to amend an Act passed during the last Session, entitled, 'An Act to improve the Navigation of the Inland Waters of the District of Newcastle'; also the bill entitled, "An Act to amend an Act passed during the last Session, entitled, 'An Act granting a sum of money for improving the Hill at the River Rouge, and other purposes therein-mentioned"; also the bill entitled, "An Act granting a sum of money in aid of the Toronto Hospital"; also the bill entitled "An Act granting a sum of money in aid of the Kingston Hospital"; and also the bill entitled, "An Act providing for the support of the Provincial Penitentiary," were severally read a third time and passed:

Newcastle Inland Navigation bill;

Rouge Hill grant amendment bill;

Toronto Hospital grant bill;

Kingston Hospital aid bill; and,

Penitentiary provision bill; read third time, and passed.

Same signed;

Whereupon the Speaker signed the same; and it was,

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed these bills, without any amendment.

And the Assembly acquainted thereof.

The Honorable Messieurs Crooks and Macaulay enter.

Members enter.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to Naturalize certain persons therein-mentioned," and the report of the Select Committee thereon.

Edwards, and others, Naturalization bill, re-committed.

The Honorable Mr. Burnham took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and had made some amendments thereto, which they recommended to the adoption of the House.

Amendments reported.

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Ordered, that the report be received; and,

Read first time.

The said amendments were then read by the Clerk, as follows:

The amendments.

In the preamble—Expunge “William Henderson Edwoods, Daniel Bryant, James Johnson, William McKeever, Thornton Blackburn, Robert Gibbs, Matthew Bectrust, Newton Carey, Joseph Smith, Washington Christian, John Randolph, William Horney, Thomas Williams, William Preston and John Harod, of the City of Toronto; John Weaver, Jonathan Powell, Reuben Powell, Cornelius Puffer and Johnson Marsh, of the District of Newcastle; Amos G. Canby, of the District of Niagara; and also Daniel Aikins, Griswold Enos and Jesse Starkweather, of the District of Johnstown; and Abraham Von Vleck Pruyn, of the District of Prince Edward; Timothy Keyes and Ebenezer Saxton, of the District of Gore; and Joel Thompson, of the Midland District; Benjamin Parker Cahoon, Iron-maker; Lewis Davenport and Horace Davenport, Merchants; and Darius D. Johnson, Doctor of Medicine, all of the Western District; and John Lewis, Beecher Benham and Horatio Nelson Perry, of the Niagara District, Yeomen.”

In the bill—Expunge “William Henderson Edwoods, Daniel Bryant, James Johnson, William McKeever, Thornton Blackburn, Robert Gibbs, Matthew Bectrust, Newton Carey, Joseph Smith, Washington Christian, John Randolph, William Horney, Thomas Williams, William Preston, John Harod, John Weaver, Jonathan Powell, Reuben Powell, Cornelius Puffer, Johnson Marsh, Amos G. Canby, Daniel Aikins, Griswold Enos, Abraham Van Vleck Pruyn, Jesse Starkweather, Timothy Keyes, Ebenezer Saxton, Joel Thompson, Benjamin Parker Cahoon, Lewis Davenport, Horace Davenport, Darius D. Johnson, John Lewis, Beecher Benham and Horatio Nelson Perry.”

Read second time, and adopted.

The said amendments being read a second time, and the question of concurrence put on each, they were severally agreed to by the House; and it was,

Ordered, that they be engrossed, and the said bill, as amended, read a third time on Monday next.

Grantham Navigation Company's incorporation bill, read third time; and,

Pursuant to the order of the day, the bill entitled, “An Act to incorporate certain persons under the style and title of the Grantham Navigation Company,” was read a third time; and it was,

Referred again to a Committee of the whole.

Ordered, that this bill do not now pass, but that it be again referred to a Committee of the whole House on Monday next.

Court of Requests law amendment bill, committed.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, “An Act to amend the Law relating to the Court of Requests.”

The Honorable Mr. Crookshank took the Chair.

After some time the House resumed.

Amendments reported.

The Chairman reported that the Committee had gone through the said bill, and had made some amendments thereto, which they recommended to the adoption of the House.

Ordered, that the report be received; and,

Read first time.

The said amendments were then read by the Clerk, as follows:

The amendments.

Press 2, line 2—Expunge “Bailiff,” and insert “Clerk to deliver the same to a Bailiff, to be served, which Bailiff shall”

“ 4, “ 10—After “aforesaid,” add “Provided the sum shall not exceed five pounds.”

Read second time, and adopted.

The said amendments being read a second time, and the question of concurrence put on each, they were severally agreed to by the House; and it was,

Ordered, that they be engrossed, and the said bill, as amended, read a third time on Monday next.

School Lands Trustee bill, re-committed.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, “An Act to provide for the appointment of Trustees of School Lands, in the several Districts of the Province, and for other purposes therein-mentioned,” and the report of the Select Committee thereon.

The Honorable Mr. Stewart took the Chair.

After some time the House resumed.

House resumes.

District of Simcoe erection bill, re-committed.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, “An Act to authorise the erection of the County of Simcoe into a separate District, by the name of the District of Simcoe,” and the report of the Select Committee thereon.

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SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

The Honorable Mr. Baldwin took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said bill, and the report thereon, into consideration, had made some progress therein, and asked leave to sit again on Monday next.

Reported, and leave asked to sit again.

Ordered, that the report be received, and leave granted accordingly.

Leave granted.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to authorise the erection of the County of Oxford into a separate District, by the name of the District of Brock," and the report of the Select Committee thereon.

Brock District erection bill, re-committed.

The Honorable Mr. Elmsley took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said bill, and the report thereon, into consideration, had made some progress therein, and asked leave to sit again this day.

Reported, and leave asked to sit again.

Ordered, that the report be received, and leave granted accordingly.

Leave granted.

Pursuant to the order of the day, the bill entitled, "An Act granting to His Majesty a sum of money for the erection of certain Light-houses within the Province, and for other purposes therein-mentioned;" also the bill entitled, "An Act granting a Salary to the Clerk of the Crown in Chancery, and for other purposes therein-mentioned;" also the bill entitled, "An Act to remunerate the Honorable John Henry Dunn for services rendered to this Province;" and also the bill for increasing the Capital Stock of the Commercial Bank of the Midland District, were severally read a second time; and it was,

General Light-house grant bill;

Clerk of the Crown in Chancery's salary bill;

Hon. J. H. Dunn's remuneration bill;

And Commercial Bank increase stock bill, read second time.

Ordered, that the House be put into Committees of the whole this day, to take the same into consideration.

Pursuant to the order of the day, the bill entitled, "An Act granting a further loan to complete the Desjardins Canal, and for other purposes therein-mentioned;" also the bill entitled, "An Act authorising His Majesty to loan a sum of money to the Credit Harbour Company;" and also the bill entitled, "An Act granting a sum of money, by way of loan, to the Upper Canada Academy, at Cobourg," were severally read a second time; and it was,

Desjardins Canal Company's loan bill;

Credit Harbour Company's loan bill; and,

U. C. Academy loan bill read second time.

Ordered, that the House be put into Committees of the whole, on Monday next, to take the same into consideration.

Pursuant to notice, the Honorable Mr. Elmsley brought in a bill granting certain privileges to the Farmers' Joint Stock Banking Company, similar to those extended to the British North America Banking Company.

Farmers' Banking Company's privilege bill, brought in.

The said bill was then read; and it was,

Read first time.

Ordered, that the same be read a second time on Monday next.

Deputations from the Commons House of Assembly returned the bill entitled, "An Act to prevent the dissolution of the Parliament of this Province, in the event of a demise of the Crown," and acquainted this House that the Commons House of Assembly had acceded to the amendments made by the Legislative Council in and to the same. And they brought up a bill entitled, "An Act to authorise the erection and provide for the maintenance of Houses of Industry in the several Districts of this Province"; also a bill entitled, "An Act to loan a certain sum of money to the Grand River Navigation Company"; also a bill entitled, "An Act granting a sum of money for the erection of a Toll-bridge over the River Thames, at Chatham in the Western District"; also a bill entitled, "An Act granting a sum of money to the widow of the late James Gordon Strobridge, for interest upon money due her late husband for services rendered to the Province on the Burlington Bay Canal"; also a bill entitled, "An Act granting a sum of money for the payment of Joseph Turton, of the City of Toronto, Builder"; and also a bill entitled, "An Act granting a sum of money for the purpose of purchasing Books for the Library, and for other purposes therein-mentioned," to which they requested the concurrence of this House, and then withdrew.

Amendments to Parliament dissolution prevention bill, acceded to by the Assembly.

District Industry Houses establishment bill;

Grand River Navigation Company's loan bill;

Thames Toll-bridge grant bill;

Strobridge's interest grant bill;

Turton's grant bill; and

Library grant bill, brought up from the Assembly.

The said bills were then severally read; and it was,

Read first time.

Ordered, that they be read a second time on Monday next.

Deputations from the Commons House of Assembly brought up a bill entitled, "An Act to provide a Salary for a Judge in Equity"; also a bill entitled, "An Act to increase the present number of the Judges of His Majesty's Court of King's Bench in this Province, to alter the terms for the sitting of the said Court, and for other purposes therein-mentioned"; and also a bill

Equity Judge's salary provision bill;

King's Bench Judges increase bill; and,

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Civil List bill, brought up from the Assembly.	entitled, "An Act granting a sum of money to His Majesty, to support the Administration of the Civil Government of the Province for the current year," to which they requested the concurrence of this House, and then withdrew.
Read first time.	The said bills were then severally read; and it was,
Forty-fourth rule dispensed with.	Ordered, that the forty-fourth rule of this House be dispensed with as it regards the same, and that they be read a second time this day.
Petitions of James Benson and others;	The Honorable Mr. Macaulay brought up the petition of James Benson, and others, Shareholders of the Farmers' Joint Stock Banking Company; which was laid on the table.
Of the Members of the Committee of Management of the U. C. Academy; and,	The Honorable Mr. Crooks brought up the petition of the Members of the Committee of Management of the Upper Canada Academy, situate at Cobourg, in the Newcastle District; which was laid on the table.
Of James Racey, and others, brought up.	The Honorable Mr. Stewart brought up the petition of James Racey, and others, inhabitants of the Town of Brantford, and its vicinity; which was laid on the table.
Canboro' and Simcoe Highway bill, referred to the order of the day.	On motion made and seconded; it was, Ordered, that the bill entitled, "An Act to provide for the improvement of the Highway from Canboro' to Simcoe," and the report of the Select Committee thereon, be again referred to a Committee of the whole House on Monday next.
Contingent Accounts ordered to be laid on the table.	Ordered, that the Contingent Accounts of this House for the present Session, be laid on the table on Monday next.
Brock District erection bill, re-committed.	Pursuant to order, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to authorise the erection of the County of Oxford into a separate District, by the name of the District of Brock," and the report of the Select Committee thereon.
	The Honorable Mr. Baldwin took the Chair.
	After some time the House resumed.
Reported.	The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.
Adopted.	Ordered, that the report be received; and, Ordered, that the said bill be read a third time on Monday next.
Report of the Select Committee upon Chancery Court establishment bill, presented.	The Honorable Mr. Macaulay, from the Select Committee to whom was referred the bill entitled, "An Act to establish a Court of Chancery in this Province," presented their Report.
Read.	Ordered, that it be received; and, The same was then read by the Clerk, as follows: <i>(For the Report—See Appendix L.)</i> On motion made and seconded; it was, Ordered, that the last-mentioned bill, and the report of the Select Committee thereon, be referred to a Committee of the whole House, this day.
General Light-house grant bill, committed.	Pursuant to order, the House was put into a Committee of the whole, upon the bill entitled, "An Act granting to His Majesty a sum of money for the erection of certain Light-houses within the Province, and for other purposes therein-mentioned."
	The Honorable Mr. Vankoughnet took the Chair.
	After some time the House resumed.
Reported.	The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.
Adopted.	Ordered, that it be received; and, Ordered, that the said bill be read a third time on Monday next.
Clerk of the Crown in Chancery's salary bill, committed.	Pursuant to order, the House was put into a Committee of the whole, upon the bill entitled, "An Act granting a Salary to the Clerk of the Crown in Chancery, and for other purposes therein-mentioned."
	The Honorable Mr. Crooks took the Chair.
	After some time the House resumed.
Reported.	The Chairman reported that the Committee had gone through the said bill, and recommended the same, to the adoption of the House.
Adopted.	Ordered, that the report be received; and, Ordered, that the said bill be read a third time on Monday next.
Hon J. H. Dunn's remuneration bill, committed.	Pursuant to order, the House was put into a Committee of the whole, upon the bill entitled, "An Act to remunerate the Honorable John Henry Dunn, for services rendered to this Province."
	The Honorable Mr. Allan took the Chair.

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SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and had made some amendments thereto, which they recommended to the adoption of the House.

Ordered, that the report be received; and,

The said amendments were then read by the Clerk, as follows:

Press 1, line 4—After "Province," expunge to "did," in the eighth line.

" 2, " 4—Expunge "fourth," and insert "eighth"

" " 16—Expunge "one thousand," and insert "five hundred"

The said amendments being read a second time, and the question of concurrence put on each, they were severally agreed to by the House; and it was,

Ordered, that they be engrossed, and the said bill, as amended, read a third time on Monday next.

A Deputation from the Commons House of Assembly brought up, and delivered at the Bar of this House, a Message in the following words, and then withdrew:

MR. SPEAKER,

The Commons House of Assembly have concurred in the amendments made by the Honorable the Legislative Council, in and to the Address to His Excellency the Lieutenant Governor, on the subject of the War Losses.

(Signed) ARCHIBALD McLEAN,  
SPEAKER.

*Commons House of Assembly,*

Twenty-fourth day of February, 1837.

Deputations from the Commons House of Assembly brought up a bill entitled, "An Act granting a loan to the City of Toronto and Lake Huron Rail-road Company, and for other purposes therein-mentioned;" also a bill entitled "An Act granting a certain sum of money to complete the improvement of the Harbour at Toronto;" also a bill entitled, "An Act granting a sum of money, by way of loan, to the President, Directors and Company of the Tay Navigation Company;" also a bill entitled, "An Act to grant the Commissioners of the Dunnville Bridge a certain sum of money to complete the same;" also a bill entitled, "An Act granting a sum of money to complete the Burlington Bay Canal, and for other purposes therein-mentioned;" also a bill entitled, "An Act to provide for a Survey of the South Petite Nation River, together with the Country lying between that River and the River Saint Lawrence;" also a bill entitled, "An Act to authorise the President, Directors and Company of the Bank of Montreal, to collect debts due to them in this Province, notwithstanding the expiration of their Charter, under certain restrictions therein-mentioned;" and also a bill entitled, "An Act authorising the Magistrates of the Midland District to make rules and regulations for the prevention of accidental fires in the Town of Kingston, and for other purposes therein-mentioned;" to which they requested the concurrence of this House, and then withdrew.

The said bills were then severally read; and it was,

Ordered, that they be read a second time on Monday next.

Pursuant to order, the House was put into a Committee of the whole, upon the bill for increasing the Capital Stock of the Commercial Bank of the Midland District.

The Honorable Mr. James Kerby took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and recommended the same to the adoption of the House.

Ordered, that the report be received; and,

Ordered that the said bill be engrossed, and the same read a third time on Monday next.

Deputations from the Commons House of Assembly, brought up a bill entitled, "An Act to raise a sum of money to Macadamize the main road leading from Hamilton to Brantford, in the District of Gore, and for other purposes therein-mentioned;" and also a bill entitled, "An Act to raise a sum of money to Macadamize the main road from Queenston to the West boundary line of Grimsby, in the Niagara District, and for other purposes therein-mentioned;" to which they requested the concurrence of this House, and then withdrew.

The said bills were then severally read; and it was,

Ordered, that they be read a second time on Monday next.

Amendments reported.

Read first time.

The amendments.

Read second time, and adopted.

Message from the Assembly:

Acceding to the amendment to the Address to the Lieutenant Governor, on War Losses.

Toronto and Lake Huron Rail-road loan bill;

Toronto Harbour grant bill;  
Tay Navigation Company's loan bill;

Dunnville Bridge grant bill;

Burlington Bay Canal grant bill;

Petite Nation River survey grant bill;

Montreal Bank's provision bill; and

Kingston Police law amendment bill, brought up from the Assembly.

Read first time.

Commercial Bank increase stock bill, committed.

Reported.

Adopted.

Hamilton and Brantford road Macadamization bill; and

Queenston and Grimsby road Macadamization bill, brought up from the Assembly.

Read first time.



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Equity Judge's salary provision bill;

K. B. Judges increase bill; and

Civil List bill, read second time.

Pursuant to order, the bill entitled, "An Act to provide a salary for a Judge in Equity;" also the bill entitled, "An Act to increase the present number of the Judges of His Majesty's Court of King's Bench in this Province, to alter the terms for the sitting of the said Court, and for other purposes therein-mentioned;" and also the bill entitled, "An Act granting a sum of money to His Majesty to support the Administration of the Civil Government of the Province for the current year;" were severally read a second time; and it was,

Ordered, that the House be put into Committees of the whole, on Monday next, to take the same into consideration.

Petition of Joseph Turton, brought up.

The Honorable Mr. Elmsley brought up the petition of Joseph Turton; which was laid on the table.

House adjourns.

On motion made and seconded, the House adjourned until Monday next, at the hour of ten of the clock, A.M.

MONDAY, 27th FEBRUARY, 1837.

House meets.

The House met pursuant to adjournment.

PRESENT :

Members present.

*The Honorable* JOHN B. ROBINSON, SPEAKER.

*The Honorable Messrs.* BALDWIN,

*The Honorable Messrs.* DICKSON,

" " JAMES KERBY.

" " MARKLAND,

" " CROOKS,

" " McDONELL,

" " STEWART,

" " BURNHAM,

" " MACAULAY,

" " ELMSLEY,

" " VANKOUGHNET.

Prayers were read.

The Minutes of Saturday last were read.

On motion made and seconded; it was,

A Committee appointed to meet a Committee of the Assembly, for the purpose of presenting the Joint Address to His Excellency on War Losses.

Ordered, that a Committee be appointed on the part of this House, to meet a Committee on the part of the Commons House of Assembly, for the purpose of presenting the Joint Address of the two Houses to His Excellency the Lieutenant Governor, on the subject of the War Losses; and,

Members composing the same on the part of this House.

Ordered, that the Honorable Messieurs Dickson and James Kerby, do compose the Committee on the part of this House, for that purpose; and,

And the Assembly acquainted thereof.

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council have appointed the Honorable Messieurs Dickson and James Kerby, to be a Committee on the part of this House, who will be ready to meet a Committee on the part of the Commons House of Assembly, at two of the clock this afternoon, for the purpose of presenting the Joint Address of the two Houses to His Excellency the Lieutenant Governor, on the subject of the War Losses.

Chancery Court establishment bill, re-committed.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to establish a Court of Chancery in this Province;" and the report of the Select Committee thereon.

The Honorable Mr. James Kerby took the Chair.

After some time the House resumed.

Reported, and leave asked to sit again.

The Chairman reported that the Committee had taken the said bill and report into consideration, had made some progress therein, and asked leave to sit again to-morrow.

Leave granted.

Ordered, that the report be received, and leave granted accordingly.

Grantham Navigation Company's incorporation bill, re-committed.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to incorporate certain persons under the style and title of the Grantham Navigation Company," and the report of the Select Committee thereon.

The Honorable Mr. James Kerby took the Chair.

After some time the House resumed.

Reported, and leave asked to sit again.

The Chairman reported that the Committee had taken the said bill and report into consideration, had made some progress therein, and asked leave to sit again to-morrow.

Leave granted.

Ordered, that the report be received, and leave granted accordingly.

On motion made and seconded; it was,

The Speaker directed to request His Excellency to extend the period for proroguing the Legislature.

Ordered, that the Speaker of this House be directed to represent to His Excellency, that from the great number of bills which have recently been sent up from the House of Assembly, and which are still in progress, it will not be in the power of the Legislative Council to dis-

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SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

pose of the business before them if the Legislature shall be prorogued on the twenty-eighth instant, and that they trust, therefore, it will be convenient to His Excellency to extend the period for a few days.

A Deputation from the Commons House of Assembly, brought up a bill entitled, "An Act to authorise a loan to the Cobourg Rail-road Company;" and also a bill entitled, "An Act to provide for the disposal of the public lands in this Province, and for other purposes therein-mentioned;" to which they requested the concurrence of this House, and then withdrew.

The said bills were then severally read; and it was,  
Ordered, that they be read a second time to-morrow.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act granting a further loan to complete the Desjardin's Canal, and for other purposes therein-mentioned."

The Honorable Mr. Stewart took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time to-morrow.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to authorise the erection of the County of Simcoe into a separate District, by the name of the District of Simcoe," and the report of the Select Committee thereon.

The Honorable Mr. Baldwin took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and had made some amendments thereto, which they recommended to the adoption of the House.

Ordered, that the report be received; and,

The said amendments were then read by the Clerk, as follows:

Press 1, line 3—After "Simcoe," insert "with the exception of certain townships hereinafter mentioned."

" " " 18—After "the," expunge "said"—and after "Simcoe" insert "as constituted by this Act."

" 2, " 9—After "the," insert "next"—and in same line after "Sessions," insert "which shall be held after the passing of this Act."

Press 2—Expunge 2nd clause, and insert "And be it further enacted by the authority aforesaid, that the County of Simcoe, from and after the issuing of the said Proclamation, shall consist of the townships of West Gwillimbury, Tecumseth, Adjala, Mono, Mulmer, Tosorontio, Essa, Innisfil, Nottawasaga, Sunnidale, Vespra, Oro, Orillia, (north and south division); Medonte, Flos, Tiny, Tay and Matchidach, together with the Islands in Lakes Huron and Simcoe lying wholly or in greater part opposite thereto; and that thenceforward the townships of Proton, Luther, Melancthon and Amaranth, shall form part of the County of Waterloo; and the townships of Thorah, Mara and Rama, shall thenceforward be attached to and form part of the Fourth Riding of the County of York, in the Home District: Provided always, That so much of the seventh clause of an Act passed in the second year of the reign of His late Majesty King George the Fourth, entitled, 'An Act to repeal part of and amend an Act passed in the thirty-eighth year of His late Majesty's reign, entitled 'An Act for the better division of this Province, and to make further provision for the division of the same into Counties and Districts,' as relates to the formation of the County of Simcoe, be and the same is hereby repealed."

Press 4, line 12—After "Simcoe," insert "as ascertained by this Act"

" 9, " 19—Expunge "that"

" 12,—Expunge the twenty-second clause.

The said amendments being read a second time, and the question of concurrence put on each, they were severally agreed to by the House; and it was,

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Ordered, that they be engrossed, and the said bill, as amended, read a third time to-morrow.

Edwards, and others,  
Naturalization bill, as  
amended, read third  
time, and passed.

Pursuant to the order of the day, the bill entitled, "An Act to Naturalize certain persons therein-mentioned," was, as amended, read a third time; and,

The question being put, whether this bill, as amended, should pass, it was carried in the affirmative:

Amendments signed;  
And sent to the Assem-  
bly for concurrence.

Whereupon the Speaker signed the amendments; and it was,

Ordered, that the Master in Chancery do go down to the Assembly and acquaint that House, that the Legislative Council has passed this bill with amendments, to which they desire the concurrence of the Commons House of Assembly.

A Member enters.

The Honorable Mr. Wells enters.

Credit Harbour Com-  
pany's loan bill;  
committed.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act authorizing His Majesty to loan a sum of money to the Credit Harbour Company."

The Honorable Mr. Vankoughnet took the Chair.

After some time the House resumed.

Reported.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Adopted.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time to-morrow.

Messages from the  
Assembly:

Deputations from the Commons House of Assembly, brought up and delivered at the Bar of this House, two Messages in the following words, and then withdrew:

MR. SPEAKER,

Acceding to the  
amendments of the  
Council to the  
Resolutions relating  
to the Post Office  
Department.

The Commons House of Assembly have acceded to the amendments made by the Honorable the Legislative Council, in and to the Resolutions sent up from this House, on the subject of the Post Office Department.

(Signed) ARCHIBALD McLEAN,  
SPEAKER.

*Commons House of Assembly,*

22nd day of February, 1837.

MR. SPEAKER,

Appointing a Com-  
mittee on their part  
to meet a Committee of  
the Council, to wait  
on His Excellency  
with the joint Address  
on War Losses.

The Commons House of Assembly have appointed a Committee of four Members, who will be ready to wait, with a Committee of the Honorable the Legislative Council, upon His Excellency the Lieutenant Governor, with the Address of both Houses, on the subject of the War Losses.

(Signed) ARCHIBALD McLEAN,  
SPEAKER.

*Commons House of Assembly,*

27th day of February, 1837.

Court of Requests  
law amendment bill,  
as amended, read third  
time and passed.

Pursuant to the order of the day, the bill entitled, "An Act to amend the law relating to the Court of Requests," was, as amended, read a third time; and,

The question being put, whether this bill, as amended, should pass, it was carried in the affirmative:

Amendments signed;  
And sent to the Assem-  
bly for concurrence.

Whereupon the Speaker signed the amendments; and it was,

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill, with certain amendments, to which they desire the concurrence of the Commons House of Assembly.

Brock District  
erection bill;  
General Light-house  
grant bill; and,  
Clerk of the Crown  
in Chancery's salary  
bill, read third time  
and passed.

Pursuant to the order of the day, the bill entitled, "An Act to authorise the erection of the County of Oxford into a separate District, by the name of the District of Brock;" also the bill entitled, "An Act granting to His Majesty a sum of money for the erection of certain Light-houses within the Province, and for other purposes therein-mentioned;" and also the bill entitled, "An Act granting a Salary to the Clerk of the Crown in Chancery, and for other purposes therein-mentioned;" were severally read a third time, and passed:

Same signed;

Whereupon the Speaker signed the same; and it was,

And the Assembly  
acquainted thereof.

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed these bills without any amendment.

Monday, 27th February, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

Pursuant to the order of the day, the bill entitled, "An Act to remunerate the Honorable John Henry Dunn, for services rendered to this Province," was, as amended, read a third time; and,

Hon J. H. Dunn's remuneration bill, as amended, read third time, and not passed;

The question being put, whether this bill, as amended, should pass, it was carried in the negative; and it was,

Ordered, that the House be again put into a Committee of the whole presently, to take the same into further consideration.

But referred again to a Committee of the whole.

The House was then put into a Committee of the whole accordingly.

The Honorable Mr. Allan took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, as amended, and had agreed to an amendment to the amendments, which they recommended to the adoption of this House.

Amendment to the amendments reported.

Ordered, that the report be received; and,

The said amendment to the amendments was then read by the Clerk, as follows :  
Expunge the second and third amendments.

Read first time.  
The amendment.

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House; and it was,

Read second time, and adopted.

Ordered, that the amendment be engrossed, and the said bill, as amended, read a third time to-morrow.

Pursuant to the order of the day, the bill for increasing the Capital Stock of the Commercial Bank of the Midland District, was read a third time and passed; and it was,

Commercial Bank increase stock bill, read third time, and passed.

Ordered, that the title be, "An Act for increasing the Capital Stock of the Commercial Bank of the Midland District":

Title ordered.

Whereupon the Speaker signed the bill; and it was,

Bill signed;

Ordered, that the same be sent to the Commons House of Assembly, by the Master in Chancery, for the concurrence of that House.

And sent to the Assembly for concurrence.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled "An Act granting a sum of money, by way of loan, to the Upper Canada Academy at Cobourg."

U. C. Academy loan bill, committed.

The Honorable Mr. Wells took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and had made some amendments thereto, which they recommended to the adoption of the House.

Amendments reported.

Ordered, that the report be received; and,

The said amendments were then read by the Clerk, as follows:

Read first time.

In the title—After "granting," insert "under certain restrictions"

Add to the bill—"Provided always, nevertheless, that the monies granted by this Act, shall not be paid by the Receiver General, unless there shall remain in his hands unappropriated monies after the payment of the charges imposed upon the Provincial revenue, under any Act or Acts heretofore passed, and also of any monies granted during the present Session for the support of the Civil Government, or to defray any charges attending the public service"

The amendments.

The said amendments being read a second time, and the question of concurrence put on each, they were severally agreed to by the House; and it was,

Read second time, and adopted.

Ordered, that they be engrossed, and the said bill, as amended, read a third time to-morrow.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to provide for the improvement of the Highway from Canboro' to Simcoe," and the report of the Select Committee thereon.

Canboro' and Simcoe Highway bill, re-committed.

The Honorable Mr. Baldwin took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said bill and report again into consideration, had made some progress therein, and recommended that the said bill be referred back to the same Select Committee, with instructions to amend the thirty-ninth clause.

Reported; and,

Ordered, that the report be received; and,

Ordered, that the said bill be referred back to the same Select Committee, with instructions to amend the thirty-ninth clause.

Referred back to the same Select Committee.

Monday, 27th February, 1837.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

Equity Judge's salary provision bill, committed.	Pursuant to the order of the day, the House was put into a Committee of the whole upon the bill entitled, "An Act to provide a Salary for a Judge in Equity." The Honorable Mr. Macaulay took the Chair. After some time the House resumed.
Reported.	The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.
Adopted.	Ordered, that the report be received; and, Ordered, that the said bill be read a third time to-morrow.
King's Bench Judges increase bill; committed.	Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to increase the present number of the Judges of His Majesty's Court of King's Bench in this Province, to alter the terms for the sitting of the said Court, and for other purposes therein-mentioned." The Honorable Mr. Crooks took the Chair. After some time the House resumed.
Reported.	The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.
Adopted.	Ordered, that the report be received; and, Ordered, that the said bill be read a third time to-morrow.
Civil List bill, committed.	Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act granting a sum of money to His Majesty to support the Administration of the Civil Government of the Province for the current year." The Honorable Mr. Allan took the Chair. After some time the House resumed.
Reported.	The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.
Adopted.	Ordered, that the report be received; and, Ordered, that the said bill be read a third time to-morrow.
Speaker reports a postponement of the prorogation by His Excellency.	The Honorable the Speaker reported to the House, that His Excellency the Lieutenant Governor has been pleased to postpone the prorogation until Saturday next.
Farmers' Banking Company's privilege bill;	Pursuant to the order of the day, the bill granting certain privileges to the Farmers' Joint Stock Banking Company, similar to those extended to the British North America Banking Company;" also the bill entitled, "An Act to authorise the erection and provide for the maintenance of Houses of Industry in the several Districts of this Province;" also the bill entitled, "An Act to loan a certain sum of money to the Grand River Navigation Company;" also the bill entitled, "An Act granting a sum of money for the erection of a Toll-bridge over the River Thames, at Chatham, in the Western District;" also the bill entitled, "An Act granting a sum of money to the Widow of the late James Gordon Strobridge, for interest upon money due her late husband for services rendered to the Province on the Burlington Bay Canal;" also the bill entitled, "An Act granting a sum of money for the payment of Joseph Turton, of the City of Toronto, Builder;" also the bill entitled, "An Act granting a sum of money for the purpose of purchasing Books for the Library, and for other purposes therein-mentioned;" also the bill entitled, "An Act granting a loan to the City of Toronto and Lake Huron Rail-road Company, and for other purposes therein-mentioned;" also the bill entitled, "An Act granting a certain sum of money to complete the improvement of the Harbour at Toronto;" also the bill entitled, "An Act granting a sum of money, by way of loan, to the President, Directors and Company of the Tay Navigation Company;" also the bill entitled, "An Act to grant the Commissioners of the Dumville Bridge, a certain sum of money to complete the same;" also the bill entitled, "An Act granting a sum of money to complete the Burlington Bay Canal, and for other purposes therein-mentioned;" also the bill entitled, "An Act to provide for a Survey of the South Petite Nation River, together with the Country lying between that River and the River Saint Lawrence;" also the bill entitled, "An Act to authorise the President, Directors and Company of the Bank of Montreal, to collect debts due to them in this Province, notwithstanding the expiration of their Charter, under certain restrictions therein-mentioned;" also the bill entitled, "An Act authorising the Magistrates of the Midland District to make rules and regulations for the prevention of accidental fires in the Town of Kingston, and for other purposes therein-mentioned;" also the bill entitled, "An Act to raise a sum of money to Macadamize the main road leading from Hamilton to Brantford, in the District of Gore, and for other purposes therein-mentioned;" and also the bill entitled, "An Act to raise a sum of
District Industry Houses erection bill;	
Grand River Navigation Company's loan bill;	
Thames Toll-bridge grant bill;	
Strobridge's interest grant bill;	
Turton's grant bill;	
Library grant bill;	
Toronto and Lake Huron Rail-road loan bill;	
Toronto Harbour grant bill;	
Tay Navigation Company's loan bill;	
Dumville Bridge grant bill;	
Burlington Bay Canal grant bill;	
Petite Nation River survey grant bill;	
Montreal Bank's provision bill;	
Kingston Police law amendment bill;	
Hamilton and Brantford road Macadamization bill; and	

Tuesday, 28th February, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

money to Macadamize the main road from Queenston to the West boundary line of Grimsby, in the Niagara District, and for other purposes therein-mentioned;" were severally read a second time; and it was,

Queenston and Grimsby road Macadamization bill, read second time.

Ordered, that the House be put into Committees of the whole, to-morrow, to take the same into consideration.

Pursuant to the order of the day, the petition of Thomas Smart, and others, inhabitants of the District of Johnstown, praying for an Act lessening the distillation and use of ardent spirits; also the petition of James Benson, and others, Shareholders of the Farmers' Joint Stock Banking Company, praying for similar privileges as are conferred upon the British North America Banking Company; also the petition of the Members of the Committee of Management of the Upper Canada Academy, situate at Cobourg, in the Newcastle District, praying for relief; also the petition of James Racey, and others, inhabitants of the Town of Brantford, and its vicinity, praying for the formation of a new County, by the name of the County of Brant; and also the petition of Joseph Turton, praying for relief; were severally read.

Petitions of Thomas Smart, and others;

Of James Benson, and others;

Of the Committee of Management of the U. C. Academy;

Of James Racey, and others; and,

Of Joseph Turton, read.

On motion made and seconded, the House adjourned until to-morrow, at eleven of the clock, A. M.

House adjourns.

TUESDAY, 28th FEBRUARY, 1837.

The House met pursuant to adjournment.

House meets.

PRESENT:

*The Honorable* JOHN B. ROBINSON, SPEAKER.

*The Honorable Messrs.* ELMSLEY,

*The Honorable Mr.* DICKSON,

" " BALDWIN,

*The Hon. & Ven. The* ARCHDEACON OF YORK,

" " JAMES KERBY,

*The Honorable Messrs.* WELLS,

" " CROOKS,

" " MARKLAND,

" " STEWART,

" " ALLAN,

" " MACAULAY,

" " McDONELL,

" " VANKOUGHNET.

" " BURNHAM,

Members present.

Prayers were read.

The Minutes of yesterday were read.

Pursuant to the order of the day, the bill entitled, "An Act granting a further loan to complete the Desjardin's Canal, and for other purposes therein-mentioned;" also the bill entitled, "An Act authorising His Majesty to loan a sum of money to the Credit Harbour Company;" also the bill entitled, "An Act to provide a Salary for a Judge in Equity"; also the bill entitled, "An Act to increase the present number of the Judges of His Majesty's Court of King's Bench in this Province, to alter the terms for the sitting of the said Court, and for other purposes therein-mentioned"; and also the bill entitled, "An Act granting a sum of money to His Majesty, to support the Administration of the Civil Government of the Province for the current year," were severally read a third time and passed:

Desjardin's Canal Company's loan bill;

Credit Harbour Company's loan bill;

Equity Judge's salary provision bill;

King's Bench Judges increase bill; and,

Civil List bill, read third time, and passed.

Whereupon the Speaker signed the same; and it was,

Same signed;

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed these bills without any amendment.

And the Assembly acquainted thereof.

Pursuant to the order of the day, the bill entitled, "An Act to authorise the crection of the County of Simcoe into a separate District, by the name of the District of Simcoe;" also the bill entitled, "An Act to remunerate the Honorable John Henry Dunn, for services rendered to this Province;" and also the bill entitled, "An Act granting a sum of money, by way of loan, to the Upper Canada Academy, at Cobourg;" were severally, as amended, read a third time; and,

District of Simcoe erection bill;

Hon. J. H. Dunn's remuneration bill;

and U. C. Academy loan bill, as amended, read third time and passed.

The question being put, whether these bills, as amended, should pass, it was carried in the affirmative:

Whereupon the Speaker signed the amendments; and it was,

Amendments signed;

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed these bills, with certain amendments, to which they desire the concurrence of the Commons House of Assembly.

And sent to the Assembly for concurrence.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to establish a Court of Chancery in this Province," and the report of the Select Committee thereon.

Chancery Court establishment bill, re-committed.

Tuesday, 28th February, 1837.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

The Honorable Mr. Markland took the Chair.

After some time the House resumed.

Reported.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Adopted.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time to-morrow.

Amendments to Vessels Navigation regulation bill; and to Ottawa District Assize Court bill, acceded to by the Assembly.

Deputations from the Commons House of Assembly, returned the bill entitled, "An Act to compel Vessels to carry a Light during the night, and to make sundry provisions to regulate the Navigation of the waters of this Province;" and also the bill entitled, "An Act to authorise His Majesty's Justices to hold Courts of Oyer and Terminer, Assize and Nisi Prius, and General Gaol Delivery, in the Ottawa District;" and acquainted this House, that the Commons House of Assembly had acceded to the amendments made in and to these bills by the Legislative Council. The same Deputations brought up a bill entitled, "An Act to authorise the Members of the Legislative Council and House of Assembly of this Province to frank letters by the general Post, during the Sessions of the Legislature"; also a bill entitled, "An Act to make good certain monies advanced in compliance with the Address of the House of Assembly during the present Session, for the contingent expenses of the last Session of the Legislature"; and also a bill entitled, "An Act to amend the law for the improvement of the Navigation of the Saint Lawrence," to which they requested the concurrence of this House, and then withdrew.

Letter Franking bill; Covering bill; and,

St. Lawrence Navigation amendment bill, brought up from the Assembly.

Read first time.

The said bills were then severally read; and it was,

Forty-fourth rule dispensed with.

Ordered, that the forty-fourth rule of this House be dispensed with as it regards the same, and that the said bills be read a second time this day.

Report of Joint Committee, appointed to present His Excellency with an Address, on the subject of War Losses.

The Honorable Mr. Dickson, from the Joint Committee appointed to present His Excellency the Lieutenant Governor with an Address of the two Houses, on the subject of the War Losses, reported that they had done so, and that His Excellency had been pleased to return thereto the following reply:

GENTLEMEN;

His Excellency's reply.

With great pleasure I will comply with the request contained in this Address.

Farmers' Banking Company's privilege bill, committed.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill granting certain privileges to the Farmers' Joint Stock Banking Company, similar to those extended to the British North America Banking Company.

The Honorable Mr. Baldwin took the Chair.

House resumes.

After some time the House resumed.

District Industry Houses erection bill committed.

Pursuant to the order of the day, the House was put into a Committee of the whole upon the bill entitled, "An Act to authorise the erection and provide for the maintenance of Houses of Industry in the several Districts of this Province."

The Honorable Mr. Wells took the Chair.

After some time the House resumed.

Reported.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Adopted.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time to-morrow.

Grand River Navigation Company's loan bill, committed.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to loan a certain sum of money to the Grand River Navigation Company."

The Honorable Mr. Crooks took the Chair.

After some time the House resumed.

Reported.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Adopted.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time to-morrow.

Thames Toll-bridge grant bill, committed.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act granting a sum of money for the erection of a Toll-bridge over the River Thames, at Chatham, in the Western District."

The Honorable Mr. Emsley took the Chair.

After some time the House resumed.

Tuesday, 28th February, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.	Reported.
Ordered, that the report be received; and,	Adopted.
Ordered, that the said bill be read a third time to-morrow.	
Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act granting a sum of money to the Widow of the late James Gordon Strobidge, for interest upon money due her late husband for services rendered to the Province on the Burlington Bay Canal."	Strobidge's interest grant bill, committed.
The Honorable Mr. Burnham took the Chair.	
After some time the House resumed.	
The Chairman reported that the Committee had taken the said bill into consideration, had made some progress therein, and asked leave to sit again this day fortnight.	Reported, and leave asked to sit again, in a fortnight.
Ordered, that the report be received, and leave granted accordingly.	Leave granted.
Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act granting a sum of money for the payment of Joseph Turton, of the City of Toronto, Builder."	Turton's grant bill, committed.
The Honorable Mr. Stewart took the Chair.	
After some time the House resumed.	
The Chairman reported that the Committee had taken the said bill into consideration, had made some progress therein, and recommended that it be referred to a Select Committee to report thereon.	Reported; and,
Ordered, that the report be received; and,	
Ordered, that the said bill be referred to a Select Committee, to report thereon; and,	Referred to a Select Committee.
Ordered, that the Honorable Messieurs Allan, Elmsley and Vankoughnet, do compose the same for that purpose.	Members composing same.
Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act granting a sum of money for the purpose of purchasing Books for the Library, and for other purposes therein-mentioned."	Library grant bill, committed.
The Honorable Mr. Crooks took the Chair.	
After some time the House resumed.	
The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.	Reported.
Ordered, that the report be received; and,	Adopted.
Ordered, that the said bill be read a third time to-morrow.	
Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act granting a loan to the City of Toronto and Lake Huron Rail-road Company, and for other purposes therein-mentioned."	Toronto and Lake Huron Rail-road loan bill, committed.
The Honorable Mr. Macaulay took the Chair.	
After some time the House resumed.	
The Chairman reported that the Committee had taken the said bill into consideration, had made some progress therein, and asked leave to sit again on Thursday next.	Reported, and leave asked to sit again.
Ordered, that the report be received, and leave granted accordingly.	Leave granted.
Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to incorporate certain persons under the style and title of the Grantham Navigation Company," and the report of the Select Committee thereon.	Grantham Navigation Company's incorporation bill, re-committed.
The Honorable Mr. Baldwin took the Chair.	
After some time the House resumed.	
The Chairman reported that the Committee had taken the said bill and report into consideration, had made some further progress therein, and asked leave to sit again this day three months.	Reported, and leave asked to sit again, in three months.
Ordered, that the report be received, and leave granted accordingly.	Leave granted.
Pursuant to order, the bill entitled, "An Act to authorise the Members of the Legislative Council and House of Assembly of this Province to frank letters by the general Post, during the Sessions of the Legislature"; also the bill entitled, "An Act to make good certain monies advanced in compliance with the Address of the House of Assembly during the present Session, for the contingent expenses of the last Session of the Legislature of this Province"; and also the bill entitled, "An Act to amend the law for the improvement of the Navigation of the Saint Lawrence"; were severally read a second time; and it was,	Letter Franking bill; Covering bill; and, St. Lawrence Navigation amendment bill, read second time.



## Wednesday, 1st March, 1837.

## FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

Ordered, that the House be put into Committees of the whole, to-morrow, to take the same into consideration.

Foreign Bank  
Directors election  
prevention bill,  
brought in.

The Honorable the Speaker brought in a bill for declaring Foreigners, and persons residing out of this Province, incapable of being elected Directors for the management of the affairs of any incorporated Bank.

Read first time.

The said bill was then read; and it was,

Forty-fourth rule  
dispensed with.

Ordered, that the forty-fourth rule of this House be dispensed with, as it regards this bill, and that the same be read a second time presently.

Read second time.

The said bill was then read a second time accordingly; and it was,

Ordered, that the House be put into a Committee of the whole, to-morrow, to take the same into consideration.

House adjourns.

On motion made and seconded, the House adjourned until to-morrow, at eleven of the clock, A.M.

## WEDNESDAY, 1st MARCH, 1837.

House meets.

The House met pursuant to adjournment.

## PRESENT:

Members present.

*The Honorable* JOHN B. ROBINSON, SPEAKER.  
*The Honorable Messrs.* DICKSON,  
" " ALLAN,  
" " McDONELL.

*The Honorable Messrs.* ELSLEY,  
" " BALDWIN,  
" " STEWART,  
" " VANKOUGHNET.

Prayers were read.

The Minutes of yesterday were read.

Protest of the Hon.  
Messieurs Dickson  
and Crooks, against  
the passing of  
Desjardins Canal  
Company's loan bill.

To the bill passed yesterday, entitled, "An Act granting a further loan to complete the Desjardins's Canal, and for other purposes therein-mentioned,"

## DISSENTIENT,

Because, it contains a provision, that in case the debt and interest is not paid a tax is to be levied upon all the inhabitants of the District of Gore to make it good; following up a provision in the bill passed during the present Session of Parliament, chartering the Great Western Railroad Company. (passed in our absence,) than which, nothing can in our opinion be more unjust, inasmuch, as but a very small proportion of the inhabitants will derive any benefit from those works; on the contrary, the advantage will be confined, so far as the District is concerned, in a great degree, to those in the immediate vicinity.

(Signed)

WILLIAM DICKSON,

"

JAMES CROOKS.

District Industry  
Houses erection bill;

Grand River Navigation  
Company's loan  
bill;

Thames Toll-bridge  
grant bill; and,

Library grant bill,  
read third time, and  
passed.

Same signed;

And the Assembly  
acquainted thereof.

Toronto Harbour  
grant bill, committed.

Pursuant to the order of the day, the bill entitled, "An Act to authorise the erection and provide for the maintenance of Houses of Industry in the several Districts of this Province;" also the bill entitled, "An Act to loan a certain sum of money to the Grand River Navigation Company;" also the bill entitled, "An Act granting a sum of money for the erection of a Toll-bridge over the River Thames, at Chatham, in the Western District;" and also the bill entitled, "An Act granting a sum of money for the purpose of purchasing Books for the Library, and for other purposes therein-mentioned;" were severally read a third time, and passed:

Whereupon the Speaker signed the same; and it was,

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed these bills, without any amendment.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act granting a certain sum of money to complete the improvement of the Harbour at Toronto."

The Honorable Mr. Dickson took the Chair.

After some time the House resumed.

Reported.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Adopted.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time to-morrow.

Wednesday, 1st March, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act granting a sum of money, by way of loan, to the President, Directors and Company, of the Tay Navigation Company." Tay Navigation Company's loan bill, committed.

The Honorable Mr. Burnham took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House. Reported.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time to-morrow. Adopted.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to grant the Commissioners of the Dunnville Bridge, a certain sum of money to complete the same." Dunnville Bridge grant bill, committed.

The Honorable Mr. Stewart took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House. Reported.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time to-morrow. Adopted.

Deputations from the Commons House of Assembly, returned the bill entitled, "An Act to increase the Capital Stock of the Bank of Upper Canada, and to alter and amend the Charter thereof; and also to increase the Capital Stock of the Commercial Bank of the Midland District, and for other purposes therein-mentioned;" also the bill entitled, "An Act to amend the Law relating to the Court of Requests;" and also the bill entitled, "An Act to authorise the erection of the County of Simcoe into a separate District, by the name of the District of Simcoe;" and acquainted this House, that the Commons House of Assembly had acceded to the amendments made in and to the same by the Legislative Council. And they returned the bill sent down from this House, entitled, "An Act for increasing the Capital Stock of the Commercial Bank of the Midland District;" and acquainted this House, that the Commons House of Assembly had passed the same without any amendment. Amendments to Upper Canada and Commercial Banks increase stock bill; Court of Requests law amendment bill; and, District of Simcoe erection bill, acceded to by the Assembly. Commercial Bank increase stock bill, passed, and returned from the Assembly.

And they brought up and delivered at the Bar of this House, a Message in the following words, and then withdrew: Message from the Assembly:

MR. SPEAKER,

The Commons House of Assembly have passed an Address to His Majesty on the subject of the improvement of the Navigation of the River Saint Lawrence to the Ocean, and of making that channel free for the Commerce of the American States; which they communicate to the Honorable the Legislative Council, and in which they request the concurrence of that Honorable House. Transmitting an Address to the King, on the subject of the improvement of the Navigation of the River St. Lawrence.

(Signed) ARCHIBALD McLEAN,  
SPEAKER.

*Commons House of Assembly,*

Twenty-eighth day of February, 1837.

Deputations from the Commons House of Assembly brought up a bill entitled, "An Act granting a sum of money, by way of loan, to Macadamize Hurontario Street, South of Dundas Street, to the Lake Shore;" also a bill entitled, "An Act to alter and amend an Act passed during the last Session of the Legislature, entitled, 'An Act granting to His Majesty a sum of money, for the improvement of the Roads and Bridges in the several Districts of this Province;" also a bill entitled, "An Act granting to His Majesty a sum of money, to remunerate the Arbitrator appointed to ascertain the amount of Revenue to be paid to this Province from Lower Canada;" also a bill entitled, "An Act to provide for the payment of Light-house Keepers in this Province, to maintain Lights in the several Light-houses, and for other purposes therein-mentioned;" and also a bill entitled, "An Act authorising the payment of Pensions to Militiamen disabled during the late War with the United States of America, under certain restrictions;" to which they requested the concurrence of this House, and then withdrew. Hurontario Street Macadamization bill; Road and Bridge grant law amendment bill; Provincial Arbitrator's remuneration bill; Light-house Keepers' salary payment bill; And Militia Pension payment bill, brought up from the Assembly.

The said bills were then severally read; and it was,

Ordered, that the same be read a second time to-morrow. Read first time.

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Address of the Assembly to the King, on the subject of the improvement of the Navigation of the River St. Lawrence, read.

The Address of the Commons House of Assembly to the King, on the subject of the improvement of the Navigation of the River Saint Lawrence, was then read by the Clerk, as follows :

*(For the Address—See Appendix M.)*

On motion made and seconded; it was,

Ordered, that the foregoing Address be referred to a Committee of the whole House, to-morrow.

Burlington Bay Canal grant bill, committed.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act granting a sum of money to complete the Burlington Bay Canal, and for other purposes therein-mentioned."

The Honorable Mr. Baldwin took the Chair.

After some time the House resumed.

Reported.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Adopted.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time to-morrow.

Members enter.

The Honorable Messieurs Markland and Macaulay enter.

Petite Nation River survey grant bill, committed.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to provide for a Survey of the South Petite Nation River, together with the Country lying between that River and the River Saint Lawrence."

The Honorable Mr. Macaulay took the Chair.

After some time the House resumed.

Reported.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Adopted.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time to-morrow.

Montreal Bank's provision bill, committed.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to authorise the President, Directors and Company of the Bank of Montreal, to collect debts due to them in this Province, notwithstanding the expiration of their Charter, under certain restrictions therein-mentioned."

The Honorable Mr. Wells took the Chair.

After some time the House resumed.

Reported.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Adopted.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time to-morrow.

Kingston Police law amendment bill, committed.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act authorising the Magistrates of the Midland District to make rules and regulations for the prevention of accidental fires in the Town of Kingston, and for other purposes therein-mentioned."

The Honorable Mr. Dickson took the Chair.

After some time the House resumed.

Reported.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Adopted.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time to-morrow.

Chancery Court establishment bill, read third time, but not passed.

Pursuant to the order of the day, the bill entitled, "An Act to establish a Court of Chancery in this Province," was read a third time; and,

The question being put, whether this bill should pass, it was carried in the negative; and it was,

Ordered, that the House be put into a Committee of the whole presently, to take the same into further consideration.

The bill re-committed.

The House was then put into a Committee of the whole according y.

The Honorable Mr. Markland took the Chair.

After some time the House resumed.

Amendments reported.

The Chairman reported that the Committee had gone through the said bill, and had made some amendments thereto, which they recommended to the adoption of the House.

Ordered, that the report be received; and,

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SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

The said amendments were then read by the Clerk, as follows:

Read first time.

Press 1, line 1—After “more,” expunge “general,” and insert “perfect”—expunge “through-out,” and insert “in” The amendments.

“ “ “ 11—Expunge “Equity of original and superior jurisdiction,” and insert “Chancery”

“ “ “ 13—After “Canada,” expunge “wherein shall preside,” and insert “of which Court the Governor, Lieutenant Governor, or Person Administering the Government of this Province, shall be Chancellor; and that for the better administration of justice in the said Court, the judicial powers thereof, both legal and equitable, shall be exercised by”

Press 2—After the fourth line, insert “in dower”

“ 2—After line seven, insert “in all matters relating to awards”

“ “ line 8—After “agreements,” expunge “and awards”

“ “ “ 18—Before “all,” insert “in”

“ “ “ 18—After “Co-partnership,” insert “Provided always, nevertheless, that nothing in this Act contained shall extend to supersede or interfere with the authority of the Commissioners appointed under the laws of this Province, for ascertaining the titles of any person claiming lands as the heir, devisee or assignee, of the original nominee of the Crown, in cases where no patent has issued for such lands, or claiming title under such heir, devisee or assignee.”

Press 5—Expunge the eleventh clause, and insert “And whereas, the law of England was at an early period introduced into this Province, and has continued to be the rule of decision in all matters of controversy, relative to property and civil rights, while at the same time, from the want of an equitable jurisdiction, it has not been in the power of mortgagees to foreclose, and mortgagors being out of possession, have been unable to avail themselves of their equity of redemption; and in consequence of the want of these remedies, the rights of the respective parties, or of their heirs, executors, administrators or assigns, may be found to be attended with peculiar equitable considerations, as well in regard to compensation for improvements, as in respect to the right to redeem, depending on the circumstances of each case, and a strict application of the rules established in England might be attended with injustice: Be it therefore enacted by the authority aforesaid, that the Vice Chancellor of the said Court shall have power and authority, in all cases of mortgage, where, before the passing of this Act, the estate has become absolute in law by failure in performing the condition, to make such order and decree in respect to foreclosure or redemption, and with regard to compensation for improvements, and generally with respect to the rights and claims of the mortgagor and mortgagee, and their respective heirs, executors, administrators or assigns, as may appear to him just and reasonable, under all the circumstances of the case, subject however to the appeal provided by this Act.”

“ 6, line 4—After “Solicitor,” insert “respectively”

“ 7—Add to the sixteenth clause—“Provided that security be given upon such appeal to the satisfaction of the Vice Chancellor, in like manner as is provided with respect to appeals from judgments of the Court of King’s Bench”

“ 10, line 1—After “Office,” insert “Provided always, that the Vice Chancellor shall have the same right of appeal to His Majesty, in his Privy Council, against such removal, as is by law given to the Judges of His Majesty’s Court of King’s Bench in this Province”

“ 10—Expunge the twenty-second clause, and insert “And whereas, it may be beneficial to facilitate the admission of a limited number of persons experienced in the practice of Courts of Equity in the United Kingdom, to practice as Solicitors in this Province: Be it therefore enacted by the authority aforesaid, that it shall and may be lawful for the Vice Chancellor to admit persons to be Solicitors of the said Court, (not exceeding six in number,) upon their producing evidence to his satisfaction of their having been respectively admitted and sworn as Solicitors of the High Court of Chancery in England or Ireland, and of their having been in actual practice in such Court as Solicitors: Provided

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always, that the Vice Chancellor shall not admit any such person to be a Solicitor until he shall have satisfied himself in respect to his competent knowledge of the law and practice of the High Court of Chancery in England or Ireland, and also in respect to his moral character."

Press 11—Expunge the twenty-third clause, down to "Plaintiff's costs," and insert "And be it further enacted by the authority aforesaid, that no higher fees shall be charged for the services hereinafter mentioned, than are set down in the following Table, nor shall higher fees be charged for any similar services rendered in other cases"

Press 11, line 13—Expunge "folio twenty, one pound"

" " " 14—Expunge "ten shillings"

" " " 20—Expunge "folio fifty"—expunge "one pound five shillings"

" 12, " 9—Expunge "folio sixty"—expunge "three pounds"

" " " 17—Expunge "folio ten, at," and insert "per folio"—expunge "ten shillings"

" " " 20—Expunge "five shillings"

Read second time,  
and adopted.

The said amendments being read a second time, and the question of concurrence put on each, they were severally agreed to by the House; and it was,

Ordered, that they be engrossed, and the said bill, as amended, read a third time to-day.

Report of the Select  
Committee upon  
Turton's relief bill,  
presented.

The Honorable Mr. Allan, from the Select Committee to whom was referred the bill entitled, "An Act granting a sum of money for the payment of Joseph Turton, of the City of Toronto, Builder," presented their Report.

Ordered, that the report be received; and,

Read.

The same were then read by the Clerk, as follows:

The Report

The Select Committee to whom was referred the bill sent up from the Commons House of Assembly, entitled, "An Act granting a sum of money for the payment of Joseph Turton, of the City of Toronto, Builder," respectfully report:

That the principal item of the claim of Joseph Turton, is composed of the difference between the number of bricks allowed to the cubic foot by Messieurs Ewart and Parke, and the number claimed by Joseph Turton: fifteen bricks were allowed to the foot in the former case, and sixteen to the foot claimed in the latter.

This point was satisfactorily explained by Mr. Parke, who stated that a greater sum than the current price per thousand for laying brick was allowed to Joseph Turton, in consideration of the larger size of the bricks, and consequent lesser number to the cubic foot.

With respect to the other items which make up the sum claimed, it appears that they are charges over and above the allowance made by Messieurs Ewart and Parke, for work done by Joseph Turton.

It was provided in the contract, that the Commissioners should appoint any person they thought fit to supervise the work, and certify the amount to be paid for each particular part of the work as it proceeded.

Messieurs Ewart and Parke were appointed accordingly, and it seems that their decision should be final.

Your Committee, therefore, cannot recommend the bill to the adoption of your Honorable House.

All which is respectfully submitted,

(Signed)

W. ALLAN,

CHAIRMAN.

Committee Room, Legislative Council,

First March, 1837.

On motion made and seconded; it was,

Ordered, that the last mentioned bill, and the report of the Select Committee thereon, be referred to a Committee of the whole House, to-morrow.

Hamilton and Brant-  
ford road Macadam-  
ization bill, committed.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to raise a sum of money to Macadamize the main road leading from Hamilton to Brantford, in the District of Gore, and for other purposes therein-mentioned."

The Honorable Mr. Wells took the Chair.

After some time the House resumed.

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SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

The Chairman reported that the Committee had taken the said bill into consideration, had made some progress therein, and asked leave to sit again to-morrow. Reported, and leave asked to sit again.

Ordered, that the report be received, and leave granted accordingly. Leave granted.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to authorise the Members of the Legislative Council and House of Assembly of this Province to frank letters by the general Post, during the Sessions of the Legislature." Letter Franking bill, committed.

The Honorable Mr. Baldwin took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House. Reported.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time to-morrow. Adopted.

A Deputation from the Commons House of Assembly, returned the bill entitled, "An Act to remunerate the Honorable John Henry Dunn, for services rendered to this Province," and acquainted this House, that the Commons House of Assembly had acceded to the amendment made in and to the same by the Legislative Council. The same Deputation brought up a bill entitled, "An Act to amend the laws relating to the collection of Duties on imports from the United States into this Province, and for other purposes therein-mentioned"; also a bill entitled, "An Act to incorporate certain persons therein-named as a Board of Trustees for the erection, superintending and management, of a Roman Catholic College at Kingston, to be known by the name of the College of Regiopolis, and for other purposes therein-mentioned"; also a bill entitled, "An Act to authorise William Johnson to convey to Trustees a lot of Land for purposes therein-mentioned"; also a bill entitled, "An Act to facilitate the proceedings of the Farmers' Joint Stock Banking Company, and to protect the interests of the public"; also a bill entitled "An Act to make further provision respecting the affording of public aid to the Great Western Rail-road, and the Toronto and Lake Huron Rail-road, and for other purposes therein-mentioned"; and also a bill entitled, "An Act to authorise the erection of certain townships and other territory, heretofore forming part of the Newcastle District, into a new District, by the name of the District of Colborne, with Peterborough for the District Town," to which they requested the concurrence of this House, and then withdrew. Amendment to the Hon. J. H. Dunn's remuneration bill, acceded to by the Assembly.

The said bills were then severally read; and it was,

Ordered, that they be read a second time to-morrow. United States Duty bill;

A Deputation from the Commons House of Assembly brought up, and delivered at the Bar of this House, a Message in the following words, and then withdrew: Regiopolis College incorporation bill;

MR. SPEAKER,

The Commons House of Assembly have adopted an Address to His Majesty, on the subject of the Post Office Department, which they communicate to the Honorable the Legislative Council, and request the concurrence of that Honorable House therein. Johnson's Trustee conveyance bill;

(Signed) ARCHIBALD McLEAN,

SPEAKER. Farmers' Joint Stock Bank facility bill;

*Commons House of Assembly,*

Twenty-seventh day of February, 1837. Great Western and Toronto and Lake Huron Rail-road bill;

The Address of the Assembly to the King, on the subject of the Post Office Department, was then read by the Clerk, as follows: And Colborne District erection bill, brought up from the Assembly.

(For the Address—See Appendix N.)

On motion made and seconded; it was,

Ordered, that the foregoing Address be referred to a Committee of the whole House, to-morrow. Read first time.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to make good certain monies advanced in compliance with the Address of the House of Assembly during the present Session, for the contingent expenses of the last Session of the Legislature of this Province." Message from the Assembly;

The Honorable Mr. Burnham took the Chair.

After some time the House resumed. Transmitting for concurrence an Address to the King, on the subject of the Post Office Department.

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Reported.	The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.
Adopted.	Ordered, that the report be received; and, Ordered, that the said bill be read a third time to-morrow.
Motion for dispensing with the forty-fourth rule, as respects Colborne District erection bill.	It was moved and seconded, that the forty-fourth rule of this House be dispensed with, as it regards the bill entitled, "An Act to authorise the erection of certain townships and other territory, heretofore forming part of the Newcastle District, into a new District by the name of the District of Colborne, with Peterborough for the District Town," and that the same be read a second time, presently, and that the order made this day for a second reading of the bill, to-morrow, be rescinded.
Put and carried.	The question of concurrence being put, it was carried in the affirmative; and it was, Ordered accordingly.
Bill read second time; And referred to a Select Committee.	The said bill was then read a second time; and it was, Ordered, the same be referred to a Select Committee, with power to send for persons and papers, and to report thereon by amendment or otherwise; and,
Members composing same.	Ordered, that the Honorable Messieurs Burnham, Crooks and Stewart, do compose the same for that purpose.
St. Lawrence Navigation amendment bill, committed.	Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to amend the law for the improvement of the Navigation of the Saint Lawrence." The Honorable Mr. Stewart took the Chair. After some time the House resumed.
Reported.	The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.
Adopted.	Ordered, that the report be received; and, Ordered, that the said bill be read a third time to-morrow.
Foreign Bank Directors election prevention bill, committed.	Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill for declaring Foreigners, and persons residing out of this Province, incapable of being elected Directors for the management of the affairs of any incorporated Bank. The Honorable Mr. Macaulay took the Chair. After some time the House resumed.
Reported.	The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.
Adopted.	Ordered, that the report be received; and, Ordered that the said bill be engrossed, and the same read a third time to-morrow.
Cobourg Rail-road Company's loan bill; and Public Lands disposition bill, read second time.	Pursuant to the order of the day, the bill entitled, "An Act to authorise a loan to the Cobourg Rail-road Company;" and also the bill entitled, "An Act to provide for the disposal of the public lands in this Province, and for other purposes therein-mentioned;" were severally read a second time; and it was, Ordered, that the House be put into Committees of the whole, to-morrow, to take the same into consideration.
Chancery Court establishment bill, as amended, read third time and passed.	Pursuant to order, the bill entitled, "An Act to establish a Court of Chancery in this Province," was, as amended, read a third time; and, The question being put, whether this bill, as amended, should pass, it was carried in the affirmative:
Amendments signed;	Whereupon the Speaker signed the amendments; and it was,
And sent to the Assembly for concurrence.	Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill, with certain amendments, to which they desire the concurrence of the Commons House of Assembly.
Report of the Select Committee upon Gull Island Light-house grant amendment bill, presented.	The Honorable Mr. Burnham, from the Select Committee to whom was referred the bill sent up from the Commons House of Assembly, entitled, "An Act to amend an Act passed during the last Session, entitled, 'An Act to amend an Act passed in the first Session of the present Parliament, entitled 'An Act granting a sum of money for the erection of a Light-house on Gull Island, or such other place as the Commissioners may select,'" presented their Report Ordered, that it be received; and, The same was then read by the Clerk, as follows:
Read.	

Wednesday, 1st March, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

The Select Committee to whom was referred the bill entitled, "An Act to amend an Act passed during the last Session, entitled, 'An Act to amend an Act passed in the first Session of the present Parliament, entitled, 'An Act granting a sum of money for the erection of a Lighthouse on Gull Island, or such other place as the Commissioners may select,'" have examined the bill, and from the testimony received, your Committee recommend the same to the favourable consideration of your Honorable House. The Report.

All which is respectfully submitted,

(Signed) Z. BURNHAM,  
CHAIRMAN.

*Legislative Council, Committee Room,*  
First March, 1837.

On motion made and seconded; it was,

Ordered, that the last-mentioned bill, and the report of the Select Committee thereon, be referred to a Committee of the whole House, to-morrow.

The Honorable Mr. Burnham brought up the petition of John Fennings Taylor; which was laid on the table. Petition of John F. Taylor, brought up.

The Honorable the Speaker moved, that an Address be presented to His Excellency the Lieutenant Governor, on the subject of the Charter of the University of King's College, which being seconded: Address to His Excellency on the subject of the Charter of the University of King's College, moved and read.

An Address was read by the Clerk, as follows:

MAY IT PLEASE YOUR EXCELLENCY:

We, His Majesty's dutiful and loyal Subjects, the Legislative Council of Upper Canada, in Provincial Parliament assembled, respectfully beg leave to represent to your Excellency, that we have united with the House of Assembly during the present Session, in passing a bill for making certain alterations in the Charter of King's College in this Province, which bill will, of course, be presented for your Excellency's assent; and we desire it to be understood by your Excellency, that we had some hesitation in concurring in this measure, not on account of the provisions of the bill, which it is scarcely necessary to say, were supported by us upon a full conviction of their expediency under existing circumstances, but on account of the doubt entertained by us with respect to the propriety of interfering, by a Legislative enactment, with the provisions of a Royal Charter, under the Great Seal of the United Kingdom. The Address.

It seemed to us, however, that several communications from His Majesty's Secretary of State, which have from time to time been received in this Colony, were intended to invite the Legislature to pass some law upon the subject; and under the impression that His Majesty's Government had given at least an implied sanction to such an interposition of the Legislature, we felt less hesitation upon this point than we might otherwise have done.

We beg leave, however, to request that your Excellency will convey our assurance to His Majesty, that it has been by no means our desire to interfere irregularly with the Royal Prerogative on this occasion, or to infringe upon any Constitutional principle; and that if we have misapprehended the intention of His Majesty's Secretary of State, in imagining that any thing more was contemplated than an expression of opinion on the part of the Legislature, we trust that this opinion will not less effectually serve the purposes of His Majesty's Government, from its being expressed in the definite form of an enactment.

If it should appear objectionable to His Majesty, that the Charter should be amended by an Act of this Legislature, the bill will at least afford precise information to His Majesty, of the alterations which the Legislative Council and Assembly consider to be desirable, and the Legislative Council will cheerfully acquiesce in whatever course His Majesty may think fit to pursue for giving effect to their intentions.

On motion made and seconded; it was,

Ordered, that the foregoing Address be referred to a Committee of the whole House, to-morrow.

The Honorable Mr. Crooks brought up the petition of Robert Johnston, of Adelaide; which was laid on the table. Petition of Robert Johnston, brought up.

On motion made and seconded, the House adjourned until to-morrow, at eleven of the clock, A. M. House adjourns.



Thursday, 2nd March, 1837.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

THURSDAY, 2nd MARCH, 1837.

House meets.

The House met pursuant to adjournment.

PRESENT :

Members present.	<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> ELMSLEY,
	<i>The Honorable Messrs.</i> WELLS,	“ “ BALDWIN,
	“ “ MARKLAND,	“ “ CROOKS,
	“ “ ALLAN,	“ “ STEWART,
	“ “ McDONELL,	“ “ VANKOUGHNET.
“ “ BURNHAM,		

Prayers were read.

The Minutes of yesterday were read.

Amendments to Chancery Court establishment bill, acceded to by the Assembly.

A Deputation from the Commons House of Assembly, returned the bill entitled, “An Act to establish a Court of Chancery in this Province,” and acquainted this House, that the Commons House of Assembly had acceded to the amendments made by the Legislative Council in and to the same.

Message from the Assembly:

The same Deputation brought up and delivered at the Bar of this House, a Message in the following words, and then withdrew:

MR. SPEAKER,

Acquainting this House of their receding from the amendments made to Seduction provision bill, and Justice advancement bill.

The Commons House of Assembly do recede from the amendments made by them in and to the bills sent down by the Honorable the Legislative Council, entitled, “An Act to make the remedy in cases of Seduction more effectual, and to render the fathers of illegitimate children liable for their support,” and “An Act for the further amendment of the Law, and the better advancement of Justice.”

(Signed) ARCHIBALD McLEAN,  
SPEAKER.

*Commons House of Assembly,*

First day of March, 1837.

Common School grant bill; and, London District School establishment bill, brought up from the Assembly.

A Deputation from the Commons House of Assembly brought up a bill entitled, “An Act granting a sum of money for the support of Common Schools for the year 1837”; and also a bill, entitled, “An Act to repeal part of an Act passed in the fifty-ninth year of the reign of His late Majesty King George the Third, entitled, ‘An Act to repeal part of and to amend the Laws now in force for establishing Public Schools in the several Districts of this Province, and to establish the Public School for the London District in the Town of London’; to which they requested the concurrence of this House, and then withdrew.

Read first time.

The said bills were then severally read; and it was,

Forty-fourth rule dispensed with.

Ordered, that the forty-fourth rule of this House be dispensed with as regards these bills, and that they be read a second time this day.

Toronto Harbour grant bill;

Pursuant to the order of the day, the bill entitled, “An Act granting a certain sum of money to complete the improvement of the Harbour at Toronto;” also the bill entitled, “An

Tay Navigation Company's loan bill;

Act granting a sum of money, by way of loan, to the President, Directors and Company, of the Tay Navigation Company;” also the bill entitled, “An Act to grant the Commissioners of

Dunnville Bridge grant bill;

the Dunnville Bridge, a certain sum of money to complete the same;” also the bill entitled,

Burlington Bay Canal grant bill;

“An Act granting a sum of money to complete the Burlington Bay Canal, and for other purposes therein-mentioned;” also the bill entitled, “An Act to provide for a Survey of the South

Petite Nation River survey grant bill;

Petite Nation River, together with the Country lying between that River and the River Saint Lawrence;” also the bill entitled, “An Act to authorise the President, Directors and Com-

Montreal Bank's provision bill;

pany of the Bank of Montreal, to collect debts due to them in this Province, notwithstanding the expiration of their Charter, under certain restrictions therein-mentioned;” also the bill en-

Kingston Police law amendment bill;

titled, “An Act authorising the Magistrates of the Midland District to make rules and regulations for the prevention of accidental fires in the Town of Kingston, and for other purposes there-

Letter Franking bill;

in-mentioned;” also the bill entitled, “An Act to authorise the Members of the Legislative Council and House of Assembly of this Province to frank letters by the general Post, during

Covering bill; and,

the Sessions of the Legislature;” also the bill entitled, “An Act to make good certain monies advanced in compliance with the Address of the House of Assembly during the present Session,

St. Lawrence Navigation amendment bill, read third time, and passed.

for the contingent expenses of the last Session of the Legislature of this Province;” and also the bill entitled, “An Act to amend the law for the improvement of the Navigation of the Saint Lawrence;” were severally read a third time, and passed:

Thursday, 2nd March, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

Whereupon the Speaker signed the same; and it was,	Same signed;
Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed these bills, without any amendment.	And the Assembly acquainted thereof.
Pursuant to the order of the day, the bill for declaring Foreigners and persons residing out of this Province, incapable of being elected Directors for the management of the affairs of any incorporated Bank, was read a third time, and passed; and it was,	Foreign Bank Directors election prevention bill, read third time and passed.
Ordered, that the title be, "An Act for declaring Foreigners and persons residing out of this Province, incapable of being elected Directors for the management of the affairs of any incorporated Bank."	Title ordered.
Whereupon the Speaker signed the bill; and it was,	Bill signed;
Ordered, that the same be sent to the Commons House of Assembly, by the Master in Chancery, for the concurrence of that House.	And sent to the Assembly for concurrence.
Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act granting a loan to the City of Toronto and Lake Huron Railroad Company, and for other purposes therein-mentioned."	Toronto and Lake Huron Rail-road loan bill, re-committed.
The Honorable Mr. Crooks took the Chair.	
After some time the House resumed.	
The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.	Reported.
Ordered, that the report be received; and,	Adopted.
Ordered, that the forty-fourth rule of this House be dispensed with, as it regards the said bill, and that the same be read a third time this day.	Forty-fourth rule dispensed with.
Pursuant to the order of the day, the House was put into a Committee of the whole, upon the Address of the Commons House of Assembly to His Majesty, on the subject of the Navigation of the River Saint Lawrence.	Address to the King, on the Navigation of the River St. Lawrence, committed.
The Honorable Mr. Dickson took the Chair.	
After some time the House resumed.	
The Chairman reported that the Committee had gone through the said Address, and had made an amendment thereto, which they recommended to the adoption of the House.	Amendment reported.
Ordered, that the report be received; and,	
The said amendment was then read by the Clerk, as follows:	Read first time.
Page 3, line 16—After "the," expunge the remainder, and insert "subject matter of this Address."	The amendment.
The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House; and it was,	Read second time, and adopted.
Ordered, that the said amendment be engrossed, and the said Address, as amended, read a third time this day.	
The Honorable Mr. Macaulay brought in a bill for settling the Lines and Boundaries of the township of Loughborough, in the Midland District.	Loughborough Survey bill, brought in.
The said bill was then read; and it was,	Read first time.
Ordered, that the forty-fourth rule of this House be dispensed with, as it regards the said bill, and that the same be read a second time this day.	Forty-fourth rule dispensed with.
Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act granting a sum of money for the payment of Joseph Turton, of the City of Toronto, Builder," and the report of the Select Committee thereon.	Turton's grant bill, re-committed.
The Honorable Mr. Elmsley took the Chair.	
After some time the House resumed.	
The Chairman reported that the Committee had gone through the said bill, and the report thereon, and recommended the report of the Select Committee to the adoption of the House.	Reported.
Ordered, that the report be received; and,	
Ordered, that the said report of the Select Committee be adopted.	And the report of the Select Committee adopted.
The Honorable Mr. Burnham, from the Select Committee to whom was referred the bill entitled, "An Act to authorise the erection of certain townships and other territory, heretofore forming part of the Newcastle District, into a new District, by the name of the District of Colborne, with Peterborough for the District Town," presented their Report.	Report of the Select Committee upon Colborne District erection bill, presented.
Ordered, that it be received; and,	

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Read.

The same was then read by the Clerk, as follows :

The Report.

The Select Committee to whom was referred the bill sent up from the Commons House of Assembly, entitled, "An Act to authorise the erection of certain townships and other territory, heretofore forming part of the Newcastle District, into a new District, by the name of the District of Colborne, with Peterborough for the District Town," beg leave to report :

Your Committee have examined the said bill, with others of a similar character, and find no material difference.

The rule of the House has been attended to, in regard to petition and notice in the Upper Canada Gazette.

All which is respectfully submitted,

(Signed)

Z. BURNHAM,

CHAIRMAN.

*Committee Room, Legislative Council,*

Second March, 1837.

On motion made and seconded ; it was,

Ordered, that the last mentioned bill, and the report of the Select Committee thereon, be referred to a Committee of the whole House, this day.

Hamilton and Brantford road Macadamization bill, re-committed.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to raise a sum of money to Macadamize the main road leading from Hamilton to Brantford, in the District of Gore, and for other purposes therein-mentioned."

The Honorable Mr. Wells took the Chair.

After some time the House resumed.

Reported, and leave asked to sit again.

The Chairman reported that the Committee had taken the said bill again into consideration, had made some further progress therein, and asked leave to sit again this day.

Leave granted.

Ordered, that the report be received, and leave granted accordingly.

Address to the King, on the Post Office Department, committed.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the Address of the Commons House of Assembly to the King, on the subject of the Post Office Department.

The Honorable Mr. Vankoughnet took the Chair.

After some time the House resumed.

Reported.

The Chairman reported that the Committee had gone through the said Address, and recommended the same, to the adoption of the House.

Adopted.

Ordered, that the report be received; and,

Ordered, that the said Address be read a third time presently.

Read third time, passed, signed,

The same was then read a third time accordingly, and passed.

and the Assembly acquainted of same.

Whereupon the Speaker signed the Address; and it was,

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council have concurred in and to the same.

Wild Land Tax Law amendment bill ;

Deputations from the Commons House of Assembly, brought up a bill entitled, "An Act to amend the Laws now in force regulating the sale of lands for arrear of Taxes, and for other purposes therein-mentioned"; also a bill entitled, "An Act to amend the Laws for the appointment of Parish and Township Officers"; also a bill entitled, "An Act erecting the County of Norfolk into a separate District, by the name of the District of Talbot"; and also a bill entitled, "An Act to incorporate the Villages of Hallowell and Picton, by the name of the Town of Picton, and establish a Police therein"; to which they requested the concurrence of this House, and then withdrew.

Township Officers' Law amendment bill ;

Talbot District erection bill; and,

Picton Police establishment bill, brought up from the Assembly.

Read first time.

The said bills were then severally read; and it was,

Forty-fourth rule dispensed with.

Ordered, that the forty-fourth rule of this House be dispensed with, as it regards these bills, and that they be read a second time this day.

Report of the Select Committee upon Toronto City Charter amendment bill, presented.

The Honorable Mr. Markland, from the Select Committee to whom was referred the bill entitled, "An Act to alter and amend an Act passed in the fourth year of His Majesty's reign, entitled, 'An Act to extend the limits of the Town of York, to erect the said Town into a City, and to incorporate it under the name of the City of Toronto,'" presented their Report.

Ordered, that it be received; and,

Read.

The same was then read by the Clerk, as follows :

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SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

Your Committee, appointed to take into consideration a bill entitled, "An Act to alter and amend an Act passed in the fourth year of His Majesty's reign, entitled, 'An Act to extend the limits of the Town of York, to erect the said Town into a City, and to incorporate it under the name of the City of Toronto,'" beg leave to report: The Report.

That the principal features of the measure are as follows, viz:

The change in the system of assessing real and personal property.

The fixing the qualification as regards the property of the Aldermen and Common Councilmen.

Raising the qualification of voters at the Municipal elections.

Establishing a registry of votes, and compelling registry as a qualification of a voter.

Providing that only half the Common Council shall go out of Office annually.

Authorising the erection of a building for a Gaol and House of Correction, and the raising a loan not exceeding £5,000 for that purpose.

The first of these objects is of very great importance; as the law now stands, the rates imposed do not fall equally on the different classes of the community, and a valuation is put upon buildings without any reference to their actual dimensions, situation or real cost. All houses of two stories, of brick or wood, are classed as of one value: all houses of one story in like manner: and it follows that persons possessed of inferior property in any one given class, pay at the same rate as those possessed of property of the highest value coming within the same class.

To remedy this, the bill enacts that the actual yearly value, ascertained by sworn Assessors, shall form the criterion for the imposition of rates; and in all cases, whether a yearly advantage is received or not, they may, at their discretion, take the marketable value of the property, and adopt the interest upon that sum as the yearly value of the property. An appeal from the decision of the Assessors is given to a Court, composed of five members of the Common Council; your Committee have annexed a comparative scale, shewing the difference between the two provisions on that head.

Another change is the appointment of two Coroners for the City, which is given to the Common Council, and has been caused by a difficulty found to exist from being obliged to employ a District Officer.

A provision is made for an alteration in the qualification of Aldermen and Common Councilmen, which necessarily arises from the change made in the mode of affixing the rate of assessment, and appears judicious.

A change is also intended in the qualification of voters; instead of being as now required only to occupy a dwelling, with a door opening from it, to give to its inhabitants an independent communication abroad, the voter is required to have property of the value of £10, and to have possessed it three months prior to his voting.

He must also have had his name registered before the first Monday of December in each year previous to the election, and a certificate of registry is necessary, as an additional qualification, besides a residence of twelve months in the City or Liberties, and all rent paid at the time of registry.

A part of this enactment also establishes that only half of the Common Council shall go out of office annually. It is supposed that an advantage is expected to be derived from retaining a proportion of the members who are acquainted with the proceedings of the former Board, and will be enabled to instruct the persons who come in unacquainted with the affairs of the Corporation, and the routine of business.

The provisions of the bill authorise the building of an edifice for a Gaol and House of Correction, within five years, at the expense of £5,000, to be raised by loan, payable in twelve years; until it is finished, the Corporation are to pay annually four hundred pounds to the District, in lieu of the penny now required to be paid.

This change arises from its having been found inconvenient to commit prisoners to the Common Gaol, which does not combine imprisonment with hard labour.

With respect to the amount of rate, it is limited to one shilling and six pence in the pound in the City, and to one-fourth that sum in the Liberties; it is to be remarked, that from the scale adopted, it may fall heavily upon some individuals, and the discretionary power given to the Assessors is important. The duration of the Act however is only two years, and no great injury can arise from trying its effect. A choice is also given to the Assessor to demand the rates either from the tenant or the proprietor, which must produce inconvenience, and would have been

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better arranged by rendering the owner liable only after a proper course had been resorted to for the purpose of recovering from the occupier.

As regards property not valued with any house or building, the effect will be as follows: Every separate tenement, less than half an acre, is valued at £5; every lot above half an acre, and not an acre, £10; every piece of ground containing an acre, and not two, £20; every lot containing two acres or upwards, to be valued at £20 for the first acre: £10 for the second: £5 for the third: and £1 10s. for every subsequent acre.

These appear to be the most important provisions of the bill, which your Committee respectfully submit for the consideration of your Honorable House.

(Signed) GEORGE H. MARKLAND,  
CHAIRMAN.

Second day of March, 1837.

On motion made and seconded; it was,

Ordered, that the last-mentioned bill, and the report of the Select Committee thereon, be referred to a Committee of the whole House, this day.

Cobourg Rail-road  
Company's loan bill,  
committed.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to authorise a loan to the Cobourg Rail-road Company."

The Honorable Mr. Baldwin took the Chair.

After some time the House resumed.

Amendment reported.

The Chairman reported that the Committee had gone through the said bill, and had made an amendment thereto, which they recommended to the adoption of the House.

Ordered, that the report be received; and,

Read first time.

The said amendment was then read by the Clerk, as follows:

The amendment.

Add to the bill—"And be it further enacted by the authority aforesaid, That so much of the fifth clause of an Act passed in the fourth year of His present Majesty's reign, entitled, 'An Act to incorporate certain persons under the style and title of the Cobourg Rail-road Company,' as limits the said Rail-road to or near the route surveyed by F. P. Rubridge, Deputy Provincial Surveyor, be and the same is hereby repealed."

Read second time,  
and adopted.

The said amendment being read a second time, and the question of concurrence put thereon, it was agreed to by the House; and it was,

Forty-fourth rule  
dispensed with.

Ordered, that the forty-fourth rule of this House be dispensed with, as it regards the said bill, and that the said amendment be engrossed, and the bill, as amended, read a third time this day.

Report of the Select  
Committee upon  
Registry Law  
amendment bill,  
presented.

The Honorable Mr. Allan, from the Select Committee to whom was referred the bill entitled, "An Act to repeal and amend the Registry Laws of this Province, and for other purposes therein-mentioned," presented their Report.

Ordered, that it be received; and,

Read.

The same was then read by the Clerk, as follows:

The Report.

The Select Committee to whom was referred the bill entitled, "An Act to repeal and amend the Registry Laws of this Province, and for other purposes therein-mentioned," respectfully report:

That this bill proposes the reduction into one Act of the three principal Statutes now in force, relating to the registration of deeds, wills, conveyances, mortgages and other incumbrances affecting real estate, viz: the Act 35th, Geo. 3rd, chap. 5; 37th, Geo. 3rd, chap. 8; and 53th, Geo. 3rd, chap. 8. It also re-enacts the substance of 39th, Geo. 3rd, chap. 4, which enables persons holding office as Registers, to be elected Members of the Assembly, without repealing that Statute, and provides for the registration of all powers of attorney, by which any real estate may have been, or shall hereafter be, conveyed and disposed of.

By the sixth section of this bill, all instruments are required to be "recorded at full length." By the existing law, it is sufficient to record a memorial, containing an abstract of the material part of the instrument, according to a prescribed form. The intended change is important.

It is also directed by this bill, that there shall be a Principal Register resident within each County. The effect of this provision would be to deprive individuals of rights enjoyed during forty years, without any misconduct on their part, or evidence of actual inconvenience, or injury having been occasioned to any person, by the union of offices authorised by the Act of 1795.

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SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

It is further proposed by this bill, to authorise the registration of judgments affecting real estate which may have been entered up in any Court of Record, which is quite a novel feature in the measure, and requiring careful consideration.

The new table of fees contained in this bill differs from the old, inasmuch as it allows nine-pence instead of one shilling for each one hundred words over the first hundred words contained in each record. Notwithstanding this reduction, the expense of registration under this bill would be considerably greater than at present.

By the nineteenth section it is provided, that fire-proof offices and vaults shall be erected for the keeping of all books and papers belonging to the office of Register within each County, either at his own expense by the Registrar at the place mentioned in his commission, or in the event of neglect on his part, at the expense of the District, by order of the Magistrates, at such place as they may fix upon.

By the sixth section, all deeds, conveyances and wills, or the probate thereof, and powers of attorney, executed before the passing of the Act, of which no memorial has been previously registered, are required to be recorded within twelve months after the passing of the Act, and all such instruments executed after the passing of the Act, are to be registered within six months after execution. This clause does not clearly show what is to be the consequence of a failure to comply with its requirements.

The provision in the existing law, respecting deeds of subsequent date giving priority by registration, is omitted in the present bill.

There are many other points of difference between the Registry Acts now in force and the bill under consideration. It is also material to enquire in what manner notarial Acts executed in Lower Canada, and affecting real estate, may be recorded in this Province.

Sufficient time, however, has not been afforded your Committee to examine this bill with as much care as its importance merits, or to mature the amendments, which they consider that it requires, in season for their adoption during the present Session. They therefore beg leave to recommend that the bill be proceeded with no further by your Honorable House.

All which is respectfully submitted,

(Signed) W. ALLAN,  
CHAIRMAN.

*Committee Room, Legislative Council,*  
Second March, 1837.

On motion made and seconded; it was,

Ordered, that the report of the Select Committee upon the last-mentioned bill be adopted. Report adopted.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to provide for the disposal of the public lands in this Province, and for other purposes therein-mentioned." Public Lands disposition bill, committed.

The Honorable Mr. Stewart took the Chair.

After some time the House resumed. House resumes.

Ordered, that the said bill be printed for the use of Members. Bill ordered to be printed.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to amend an Act passed during the last Session, entitled, 'An Act to amend an Act passed in the first Session of the present Parliament, entitled 'An Act granting a sum of money for the erection of a Light-house on Gull Island, or such other place as the Commissioners may select,'" and the report of the Select Committee thereon. Gull Island Light-house amendment bill, committed.

The Honorable Mr. Baldwin took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House. Reported.

Ordered, that the report be received; and, Adopted.

Ordered, that the said bill be read a third time to-morrow.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon an Address of this House to His Excellency the Lieutenant Governor, on the subject of the Charter of the University of King's College. Address to His Excellency, on the University of King's College, committed.

The Honorable Mr. Crooks took the Chair.

After some time the House resumed.

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- Reported. The Chairman reported that the Committee had gone through the said Address, and recommended the same to the adoption of the House.
- Adopted. Ordered, that the report be received; and,  
Ordered, that the said Address be engrossed, and read a third time this day.
- Read third time, and passed. The Address was then read a third time accordingly, and passed:  
Same signed: Whereupon the Speaker signed the same; and it was,  
And a Committee appointed to know when it would be received, and to present it. Ordered, that the Honorable Messieurs Dickson and Vankoughnet, be a Committee to wait upon His Excellency to know when he would be pleased to receive the said Address, and to present the same.
- Queenston and Grimsby road Macadamization bill, committed. Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to raise a sum of money to Macadamize the main road from Queenston to the west boundary line of Grimsby, in the Niagara District, and for other purposes therein-mentioned."  
The Honorable Mr. Wells took the Chair.  
After some time the House resumed.
- Amendments reported. The Chairman reported that the Committee had gone through the said bill, and had made some amendments thereto, and recommended the same to the adoption of the House.  
Ordered, that the report be received; and,  
Read first time. The said amendments were then read by the Clerk, as follows:
- The amendments. In the title, line 2—Expunge "road," and insert "roads,"—and after "Queenston," insert "and Niagara."  
Press 1, line 5—After "Queenston," insert "and Niagara"  
" " " 21—After "Queenston," insert "and Town of Niagara"  
" 7, " 14—After "Grantham," insert "Ralph M. Chrysler, Robert Dixon, Robert Melville, Thomas Butler, of the Town of Niagara"
- Read second time, and adopted. The said amendments being read a second time, and the question of concurrence put on each, they were severally agreed to by the House; and it was,  
Forty-fourth rule dispensed with. Ordered, that the forty-fourth rule be dispensed with as it regards this bill, and that the said amendments be engrossed, and the said bill, as amended, read a third time this day.
- Hamilton and Brantford road Macadamization bill, re-committed. Pursuant to order, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to raise a sum of money to Macadamize the main road leading from Hamilton to Brantford, in the District of Gore, and for other purposes therein-mentioned."  
The Honorable Mr. Wells took the Chair.  
After some time the House resumed.
- Amendments reported. The Chairman reported that the Committee had gone through the said bill, and had made some amendments thereto, which they recommended to the adoption of the House.  
Ordered, that the report be received; and,  
Read first time. The said amendments were then read by the Clerk, as follows:
- The amendments. In the title, line 2—After "Hamilton," insert "and Dundas"  
Press 1, line 11—Expunge "Town," and insert "Towns"—after "Hamilton," insert "and Dundas"  
" 2, " 9—Expunge "Town," and insert "Towns"—after "Hamilton," insert "and Dundas"  
" 7, " 15—After "Westbrook," insert "James Coleman, James B. Ewart"
- Read second time, and adopted. The said amendments being read a second time, and the question of concurrence put on each, they were severally agreed to by the House; and it was,  
Forty-fourth rule dispensed with. Ordered, that the forty-fourth rule of this House be dispensed with, as it regards this bill, and that the said amendments be engrossed, and the said bill, as amended, read a third time this day.
- Resolution relating to the printing of the Journals, moved. It was moved and seconded, that it be,  
Resolved, that in consenting to discharge the Select Committee appointed to superintend the Printing during the present Session from the performance of that duty, it was intended by this House that the agreements entered into for the Printing of the Journals, and the publication of the proceedings of this House in certain newspapers, should be fully and without delay carried into effect by the Clerk of this House, according to the fair understanding between the Printers and the Select Committee.

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SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

The said resolution being read a second time, and the question of concurrence put thereon, it was agreed to by the House; and it was,	Read second time, and adopted.
Ordered accordingly.	
Pursuant to order, the bill entitled, "An Act granting a loan to the City of Toronto and Lake Huron Rail-road Company, and for other purposes therein-mentioned," was read a third time and passed:	Toronto and Lake Huron Rail-road loan bill, read third time and passed.
Whereupon the Speaker signed the same; and it was,	Same signed;
Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill, without any amendment.	And the Assembly acquainted thereof.
Pursuant to order, the Address of the Commons House of Assembly to His Majesty, on the subject of the Navigation of the River St. Lawrence, was, as amended, read a third time; and,	Address to the King, on the Navigation of the River St. Lawrence, as amended, read third time, and passed.
The question being put, whether this Address, as amended, should pass, it was carried in the affirmative:	
Whereupon the Speaker signed the amendment; and it was,	Amendment signed;
Ordered, that the Master in Chancery do go down to the Assembly and acquaint that House, that the Legislative Council have passed the said Address with an amendment, to which they desire the concurrence of the Commons House of Assembly.	And sent to the Assembly for concurrence.
Pursuant to order, the bill entitled, "An Act to authorise a loan to the Cobourg Rail-road Company," was, as amended, read a third time; and,	Cobourg Rail-road Company's loan bill, as amended, read third time and passed.
The question being put, whether this bill, as amended, should pass, it was carried in the affirmative:	
Whereupon the Speaker signed the amendment; and it was,	Amendment signed;
Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill with an amendment, to which they desire the concurrence of the Commons House of Assembly.	And sent to the Assembly for concurrence.
Pursuant to the order of the day, the bill entitled, "An Act granting a sum of money, by way of loan, to Macadamize Hurontario Street, South of Dundas Street, to the Lake Shore," was read a second time; and it was,	Hurontario Street Macadamization bill, read second time.
Ordered, that the forty-fourth rule of this House be dispensed with, as it regards this bill, and that the same be referred to a Committee of the whole House this day.	Forty-fourth rule dispensed with.
The House was then put into a Committee of the whole accordingly.	Bill committed.
The Honorable Mr. Baldwin took the Chair.	
After some time the House resumed.	
The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.	Reported.
Ordered, that the report be received; and,	Adopted.
Ordered, that the said bill be read a third time presently.	
The same was then read a third time accordingly, and passed:	Read third time and passed.
Whereupon the Speaker signed the bill; and it was,	Same signed;
Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill, without any amendment.	And the Assembly acquainted thereof.
Pursuant to order, the bill entitled, "An Act to raise a sum of money to Macadamize the main road from Queenston to the west boundary line of Grimsby, in the Niagara District, and for other purposes therein-mentioned," was, as amended, read a third time; and,	Queenston & Grimsby Road Macadamization bill, as amended, read third time and passed.
The question being put, whether this bill, as amended, should pass, it was carried in the affirmative:	
Whereupon the Speaker signed the amendments; and it was,	Amendments signed;
Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill, with certain amendments, to which they desire the concurrence of the Commons House of Assembly.	And sent to the Assembly for concurrence.
Pursuant to the order of the day, the bill entitled, "An Act to alter and amend an Act passed during the last Session of the Legislature, entitled, 'An Act granting to His Majesty a sum of money, for the improvement of the Roads and Bridges in the several Districts of this Province,'" was read a second time; and it was,	Road and Bridge grant law amendment bill, read second time.
Ordered, that the House be put into a Committee of the whole, to-morrow, to take the same into consideration.	



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Provincial Arbitrator's remuneration bill, read second time.

Pursuant to the order of the day, the bill entitled, "An Act granting to His Majesty a sum of money, to remunerate the Arbitrator appointed to ascertain the amount of Revenue to be paid to this Province from Lower Canada," was read a second time; and it was,

Ordered, that the House be put into a Committee of the whole presently, to take the same into consideration.

Committed.

The House was then put into a Committee of the whole accordingly.

The Honorable Mr. Vankoughnet took the Chair.

After some time the House resumed.

Reported.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Adopted.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time presently.

Read third time and passed.

The same was then read a third time accordingly, and passed:

Same signed;

Whereupon the Speaker signed the bill; and it was,

And the Assembly acquainted thereof.

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill, without any amendment.

Light-house Keepers' salary payment bill, read second time.

Pursuant to the order of the day, the bill entitled, "An Act to provide for the payment of Light-house Keepers in this Province, to maintain Lights in the several Light-houses, and for other purposes therein-mentioned," was read a second time; and it was,

Ordered, that the House be put into a Committee of the whole presently, to take the same into consideration.

Committed.

The House was then put into a Committee of the whole accordingly.

The Honorable Mr. Macaulay took the Chair.

After some time the House resumed.

Reported, and leave asked to sit again.

The Chairman reported that the Committee had taken the said bill into consideration, had made some progress therein, and asked leave to sit again to-morrow.

Leave granted.

Ordered, that the report be received, and leave granted accordingly.

Militia Pension payment bill, read second time.

Pursuant to the order of the day, the bill entitled, "An Act authorising the payment of Pensions to Militia-men disabled during the late War with the United States of America, under certain restrictions," was read a second time; and it was,

Ordered, that the House be put into a Committee of the whole presently, to take the same into consideration.

Committed.

The House was then put into a Committee of the whole accordingly.

The Honorable Mr. Crooks took the Chair.

After some time the House resumed.

Reported.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Adopted.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time presently.

Read third time and passed.

The same was then read a third time accordingly, and passed:

Same signed;

Whereupon the Speaker signed the bill; and it was,

And the Assembly acquainted thereof.

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill, without any amendment.

United States Duty bill, read second time.

Pursuant to the order of the day, the bill entitled, "An Act to amend the laws relating to the collection of Duties on imports from the United States into this Province, and for other purposes therein-mentioned," was read a second time; and it was,

Ordered, that the House be put into a Committee of the whole presently, to take the same into consideration.

Committed.

The House was then put into a Committee of the whole accordingly.

The Honorable Mr. Wells took the Chair.

After some time the House resumed.

Reported.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Adopted.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time presently.

Read third time and passed.

The same was then read a third time accordingly, and passed:

Same signed;

Whereupon the Speaker signed the bill; and it was,

Friday, 3rd March, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

Ordered, that the Master in Chancery do go down to the Assembly and acquaint that House, that the Legislative Council has passed this bill, without any amendment. And the Assembly acquainted thereof.

Pursuant to order, the bill entitled, "An Act to raise a sum of money, to Macadamize the main road leading from Hamilton to Brantford, in the District of Gore, and for other purposes therein-mentioned," was, as amended, read a third time; and, Hamilton and Brantford Road Macadamization bill, as amended, read third time and passed.

The question being put, whether this bill, as amended, should pass, it was carried in the affirmative:

Whereupon the Speaker signed the amendments; and it was, Amendments signed;

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill, with certain amendments, to which they desire the concurrence of the Commons House of Assembly. And sent to the Assembly for concurrence.

A Deputation from the Commons House of Assembly, brought up a bill entitled, "An Act to protect the public against injury from private Banks;" and also a bill entitled, "An Act to alter and extend the provisions of the several laws now in force for ascertaining titles to land, in certain cases, where no Patent has issued from the Crown;" to which they requested the concurrence of this House, and then withdrew. Private Banking bill; and Land title bill, brought up from the Assembly.

The said bills were then severally read; and it was, Read first time.

Ordered, that the forty-fourth rule of this House be dispensed with, as it regards these bills, and that they be read a second time presently. Forty-fourth rule dispensed with.

The same were then severally read a second time accordingly; and it was, Bills read second time.

Ordered, that the House be put into Committees of the whole, to-morrow, to take the said bills into consideration.

Pursuant to order, the bill entitled, "An Act to incorporate the Villages of Hallowell and Picton, by the name of the Town of Picton, and establish a Police therein;" also the bill entitled, "An Act erecting the County of Norfolk into a separate District, by the name of the District of Talbot;" also the bill entitled, "An Act to amend the Laws for the appointment of Parish and Township Officers;" also the bill entitled, "An Act to amend the Laws now in force regulating the sale of lands for arrear of Taxes, and for other purposes therein-mentioned;" also the bill entitled, "An Act granting a sum of money for the support of Common Schools for the year 1837;" also the bill entitled, "An Act to repeal part of an Act passed in the fifty-ninth year of the reign of His late Majesty King George the Third, entitled, 'An Act to repeal part of and to amend the Laws now in force for establishing Public Schools in the several Districts of this Province, and to establish the Public School for the London District in the Town of London;" also the bill entitled, "An Act to incorporate certain persons therein-named as a Board of Trustees for the erection, superintending and management, of a Roman Catholic College at Kingston, to be known by the name of the College of Regiopolis, and for other purposes therein-mentioned;" also the bill entitled, "An Act to authorise William Johnson to convey to Trustees a lot of Land for purposes therein-mentioned;" also the bill entitled, "An Act to facilitate the proceedings of the Farmers' Joint Stock Banking Company, and to protect the interests of the public;" and also the bill entitled "An Act to make further provision respecting the affording of public aid to the Great Western Rail-road, and the Toronto and Lake Huron Rail-road, and for other purposes therein-mentioned;" were severally read a second time; and it was, Picton Police establishment bill; Talbot District erection bill; Township Officers' Law amendment bill; Wild Land Tax Law amendment bill; Common School grant bill; London District School establishment bill; Regiopolis College incorporation bill; Johnson's Trustee conveyance bill; Farmers' Joint Stock Bank facility bill; and, Great Western, and Toronto and Lake Huron Rail-road bill, read second time.

Ordered, that the House be put into Committees of the whole to-morrow, to take the said bills into consideration.

On motion made and seconded, the House adjourned until to-morrow, at ten of the clock, A.M. House adjourns.

FRIDAY, 3rd MARCH, 1837.

The House met pursuant to adjournment. House meets.

PRESENT :

*The Honorable* JOHN B. ROBINSON, SPEAKER.

*The Honorable Messrs.* BURNHAM,

*The Honorable Messrs.* WELLS,

" " BALDWIN,

" " MARKLAND,

" " CROOKS,

" " ALLAN,

" " STEWART,

" " McDONELL,

" " VANKOUGHNET.

Members present.

Prayers were read.

The Minutes of yesterday were read.

Friday, 3rd March, 1837.

## FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

Gull Island Light-house amendment bill, read third time and passed.

Pursuant to the order of the day, the bill entitled, "An Act to amend an Act passed during the last Session, entitled, 'An Act to amend an Act passed in the first Session of the present Parliament, entitled, 'An Act granting a sum of money for the erection of a Light-house on Gull Island, or such other place as the Commissioners may select,'" was read a third time and passed:

Same signed; And the Assembly acquainted thereof.

Whereupon the Speaker signed the same; and it was, Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill, without any amendment.

Colborne District erection bill, committed.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to authorise the erection of certain townships and other territory, heretofore forming part of the Newcastle District, into a new District, by the name of the District of Colborne, with Peterborough for the District Town," and the report of the Select Committee thereon.

The Honorable Mr. Burnham took the Chair.

After some time the House resumed.

Reported.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Adopted.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time presently.

Read third time and passed.

The same was then read a third time accordingly, and passed:

Same signed;

Whereupon the Speaker signed the bill; and it was,

And the Assembly acquainted thereof.

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill, without any amendment.

Amendment to Cobourg Rail-road Company's loan bill, acceded to by the Assembly.

Deputations from the Commons House of Assembly, returned the bill entitled, "An Act to authorise a loan to the Cobourg Rail-road Company," and acquainted this House that the Commons House of Assembly had acceded to the amendment made by the Legislative Council in and to the same. And they brought up a bill entitled, "An Act to continue for a limited time, an Act entitled, 'An Act to promote the public health, and to guard against infectious diseases in this Province;'" also a bill entitled, "An Act to continue for a limited time, an Act entitled, 'An Act to impose an additional duty on licenses to vend Wines, Brandy and Spirituous Liquors;'" and also a bill entitled, "An Act to continue for a limited time, an Act entitled, 'An Act for licensing Ale and Beer Houses;'" to which they requested the concurrence of this House, and then withdrew.

Public Health promotion bill;

Spirituous Liquor Licence continuation bill; and,

Ale and Beer License continuation bill, brought up from the Assembly.

Read first time.

The said bills were then severally read; and it was,

Forty-fourth rule dispensed with.

Ordered, that the forty-fourth rule of this House be dispensed with, as it regards the same, and that they be read a second time this day.

Message from the Assembly:

A Deputation from the Commons House of Assembly brought up, and delivered at the Bar of this House, a Message in the following words, and then withdrew:

MR. SPEAKER,

Requesting a Conference upon the amendments to Queenston & Grimsby, and Hamilton and Brantford Roads Macadamization bills.

The Commons House of Assembly request a Conference with the Honorable the Legislative Council, on the subject of the amendments made by that Honorable House, to the bill entitled, "An Act to raise a sum of money to Macadamize the main road from Queenston to the west boundary line of Grimsby, in the Niagara District, and for other purposes therein-mentioned," and also to the bill entitled, "An Act to raise a sum of money to Macadamize the main road leading from Hamilton to Brantford, in the District of Gore, and for other purposes therein-mentioned."

(Signed) ARCHIBALD McLEAN,

Commons House of Assembly,

SPEAKER.

Third day of March, 1837.

On motion made and seconded; it was,

A Conference acceded to.

Ordered, that a Conference be acceded to with the Commons House of Assembly, on the subject matter of the amendments made by this House in and to the bill sent up from the Commons House of Assembly, entitled, "An Act to raise a sum of money to Macadamize the main road from Queenston to the west boundary line of Grimsby, in the Niagara District, and for other purposes therein-mentioned," and also in and to the bill entitled, "An Act to raise a sum of money to Macadamize the main road leading from Hamilton to Brantford, in the District of Gore, and for other purposes therein-mentioned"; and,

Friday, 3rd March, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

Ordered, that the Honorable Messieurs Dickson and Crooks, be the Conferrees on the part of this House for that purpose; and, Conferrees appointed;

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council have acceded to a Conference with the Commons House of Assembly, on the subject matter of the amendments made by this House in and to the bill sent up from the Commons House of Assembly, entitled, "An Act to raise a sum of money to Macadamize the main road from Queenston to the west boundary line of Grimsby, in the Niagara District, and for other purposes therein-mentioned"; and also in and to the bill entitled, "An Act to raise a sum of money to Macadamize the main road leading from Hamilton to Brantford, in the District of Gore, and for other purposes therein-mentioned," and have appointed the Honorable Messieurs Dickson and Crooks to be the Conferrees on the part of this House, who will be ready to meet a Committee on the part of the Commons House of Assembly presently, in the Committee Room of the Legislative Council, for that purpose. And the Assembly acquainted thereof.

On motion made and seconded; it was,

Ordered, that the bill entitled, "An Act to provide for the disposal of the public lands in this Province, and for other purposes therein-mentioned," be again referred to a Committee of the whole House presently, and that the order for printing the said bill be rescinded. Order for printing Public Lands disposition bill, rescinded;

The House was then again put into a Committee of the whole upon the said bill accordingly. And the bill re-committed

The Honorable Mr. Stewart took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House. Reported.

Ordered, that the report be received; and, Adopted.

Ordered, that the said bill be read a third time presently.

The same was then read a third time accordingly, and passed: Read third time and passed.

Whereupon the Speaker signed the bill; and it was, Same signed;

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill, without any amendment. And the Assembly acquainted thereof.

On motion made and seconded; it was,

Ordered, that a Committee be appointed to prepare an Address to His Excellency the Lieutenant Governor, in relation to the bill entitled, "An Act to provide for the disposal of the public lands in this Province, and for other purposes therein-mentioned," pursuant to the 42nd section of the 31st Geo. 3rd, chap. 31st; and, Committee appointed to prepare an Address to His Excellency, on the subject of the Public Lands disposition bill.

Ordered, that the Honorable Messieurs Markland and Allan, do compose the same for that purpose. Members composing same.

On motion made and seconded; it was,

Ordered, that the forty-fourth rule of this House be dispensed with during the remainder of the present Session. Forty-fourth rule dispensed with during the remainder of the Session.

On motion made and seconded; it was,

Ordered, that a Select Committee be appointed to examine and report upon the Contingent Accounts of this House for the present Session; and, A Committee appointed to report upon the Contingent Accounts.

Ordered, that the Honorable Messieurs Allan, Crooks and Vankoughnet, do compose the same for that purpose. Members composing same.

Ordered, that the petition of John Fennings Taylor, praying to be placed upon the establishment of the House, with a fixed Salary, be referred to the Select Committee just appointed, to report thereon. Petition of John F. Taylor, referred to last-mentioned Committee.

Pursuant to the order of the day, the House was again put into a Committee of the whole, upon the bill entitled, "An Act to alter and amend an Act passed in the fourth year of His Majesty's reign, entitled, 'An Act to extend the limits of the Town of York, to erect the said Town into a City, and to incorporate it under the name of the City of Toronto,'" together with the report of the Select Committee thereon. Toronto City Charter amendment bill, re-committed.

The Honorable Mr. Macaulay took the Chair.

After some time the House resumed.

The Honorable Mr. Elmsley enters. A Member enters.

The Chairman reported that the Committee had gone through the last-mentioned bill, and recommended the same, without any amendment, to the adoption of the House. Reported.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time presently. Adopted.

Friday, 3rd March, 1837.

## FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

Read third time and passed.

Same signed;

And the Assembly acquainted thereof.

Report of the Committee of Conference, upon the amendments to Queenston and Grimsby, and Hamilton and Brantford Roads Macadamization bills, presented.

Instructions of the Assembly read.

The Instructions.

Road and Bridge grant law amendment bill, committed.

Reported.

Adopted.

Read third time, and passed.

Same signed;

And the Assembly acquainted thereof.

Instructions of the Assembly reported this day, committed.

A Resolution reported.

Read first time.

The same was then read a third time accordingly, and passed :

Whereupon the Speaker signed the bill ; and it was,

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill, without any amendment.

The Honorable Mr. Dickson, from the Committee of Conference on the part of this House, on the subject of the amendments made by the Legislative Council in and to the bill entitled, "An Act to raise a sum of money to Macadamize the main road from Queenston to the west boundary line of Grimsby, in the Niagara District, and for other purposes therein-mentioned;" and also in and to the bill entitled, "An Act to raise a sum of money to Macadamize the main road leading from Hamilton to Brantford, in the District of Gore, and for other purposes therein-mentioned;" reported that the Honorable Mr. Crooks and he had met the Conferrees on the part of the Commons House of Assembly, who delivered to them the Instructions of that House.

Ordered, that the report be received; and,

The said Instructions were then read by the Clerk, as follows:

The House of Assembly have requested this Conference with the Honorable the Legislative Council, on the subject of the amendments made by that Honorable House in and to the bill entitled, "An Act to raise a sum of money to Macadamize the main road from Queenston to the west boundary line of Grimsby, in the Niagara District, and for other purposes therein-mentioned;" also the bill entitled, "An Act to raise a sum of money to Macadamize the main road leading from Hamilton to Brantford, in the District of Gore, and for other purposes therein-mentioned;" and that the Committee on the part of this House be instructed to state that this House regards the amendments made to these bills, as an interference with a well-established privilege of the Commons of Upper Canada, which secures to them the disposal of public monies, inasmuch as the amendments appropriate a certain portion of monies, intended by this House to be applied in making and improving particular roads, to other and totally different objects. That this House is persuaded, that this interference with their privileges, is wholly inadvertent on the part of the Legislative Council, and trust that the Honorable the Legislative Council will recede from the amendments made to the said bills, and thus insure the improvement of important sections of the public highway in the Niagara and Gore Districts.

On motion made and seconded; it was,

Ordered, that the foregoing Instructions be referred to a Committee of the whole House, this day.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to alter and amend an Act passed during the last Session of the Legislature, entitled, 'An Act granting to His Majesty a sum of money, for the improvement of the Roads and Bridges in the several Districts of this Province.'"

The Honorable Mr. Wells took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time presently.

The same was then read a third time accordingly, and passed:

Whereupon the Speaker signed the bill; and it was,

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill, without any amendment.

Pursuant to order, the House was put into a Committee of the whole, upon the Instructions of the Committee of Conference on the part of the Commons House of Assembly, reported this day.

The Honorable Mr. Baldwin took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said Instructions, and had agreed to a resolution, which they recommended to the adoption of the House.

Ordered, that the report be received; and,

The said resolution was then read by the Clerk, as follows:

Friday, 3rd March, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

*Resolved*, that it is the opinion of this Committee that the Legislative Council should recede from the amendments made by them to the bill entitled, "An Act to raise a sum of money to Macadamize the main road from Queenston to the west boundary line of Grimsby, in the Niagara District, and for other purposes therein-mentioned;" and also from the amendments made to the bill entitled, "An Act to raise a sum of money to Macadamize the main road leading from Hamilton to Brantford, in the District of Gore, and for other purposes therein-mentioned."

The resolution for receding from the amendments to Queenston and Grimsby, and Hamilton and Brantford Roads Macadamization bills.

The said resolution being read a second time, and the question of concurrence put thereon, it was agreed to by the House; and it was,

Read second time, and adopted.

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council do recede from the amendments made by them to the bill entitled, "An Act to raise a sum of money to Macadamize the main road from Queenston to the west boundary line of Grimsby, in the Niagara District, and for other purposes therein-mentioned;" and also from the amendments made to the bill entitled, "An Act to raise a sum of money to Macadamize the main road leading from Hamilton to Brantford, in the District of Gore, and for other purposes therein-mentioned."

And the Assembly informed thereof.

On motion made and seconded; it was,

Ordered, that an Address be presented to His Excellency the Lieutenant Governor, in the following words:

An Address to His Excellency passed:

*To His Excellency* SIR FRANCIS BOND HEAD, *Knight Commander of the Royal Hanoverian Guelphic Order, Knight of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY:

We, His Majesty's dutiful and loyal Subjects, the Legislative Council and House of Assembly of Upper Canada, in Provincial Parliament assembled, have agreed to an humble Address to His Majesty, on the subject of the Post Office Department, which we respectfully pray Your Excellency will be pleased to transmit to the Secretary of State for the Colonies, in order that it may be laid at the foot of the Throne.

Requesting him to transmit the Joint Address to the King, on the subject of the Post Office Department;

Ordered, that the foregoing Address be sent to the Commons House of Assembly by the Master in Chancery, for the concurrence of that House.

And sent to the Assembly for concurrence.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to provide for the payment of Light-house Keepers in this Province, to maintain Lights in the several Light-houses, and for other purposes therein-mentioned."

Light-house Keepers' salary payment bill, committed.

The Honorable Mr. Baldwin took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Reported.

Ordered, that the report be received; and,

Adopted.

Ordered, that the said bill be read a third time presently.

The same was then read a third time accordingly, and passed:

Read third time and passed.

Whereupon the Speaker signed the bill; and it was,

Same signed:

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill, without any amendment.

And the Assembly acquainted thereof.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to protect the public against injury from Private Banks."

Private Banking bill, committed.

The Honorable Mr. Burnham took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Reported.

Ordered, that the report be received; and,

Adopted.

Ordered, that the said bill be read a third time presently.

The same was then read a third time accordingly, and passed:

Read third time, and passed.

Whereupon the Speaker signed the bill; and it was,

Same signed:

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill, without any amendment.

And the Assembly acquainted thereof.

Friday, 3rd March, 1837.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

Land title bill,  
committed.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to alter and extend the provisions of the several Laws now in force for ascertaining titles to land in certain cases, where no Patent has issued from the Crown."

The Honorable Mr. Dickson took the Chair.

After some time the House resumed.

House resumes.  
Great Western, and  
Toronto and Lake  
Huron Rail-road bill,  
committed.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled "An Act to make further provision respecting the affording of public aid to the Great Western Rail-road, and the Toronto and Lake Huron Rail-road, and for other purposes therein-mentioned."

The Honorable Mr. Markland took the Chair.

After some time the House resumed.

Reported.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Adopted.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time presently.

Read third time and  
passed.

The same was then read a third time accordingly, and passed:

Same signed;

Whereupon the Speaker signed the bill; and it was,

And the Assembly  
acquainted thereof.

Ordered, that the Master in Chancery do go down to the Assembly and acquaint that House, that the Legislative Council has passed this bill, without any amendment.

Picton Police estab-  
lishment bill,  
committed.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to incorporate the Villages of Hallowell and Picton, by the name of the Town of Picton, and establish a Police therein."

The Honorable Mr. Wells took the Chair.

After some time the House resumed.

Reported.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Adopted.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time presently.

Read third time and  
passed.

The same was then read a third time accordingly, and passed:

Same signed;

Whereupon the Speaker signed the bill; and it was,

And the Assembly  
acquainted thereof.

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill, without any amendment.

Petition of William  
Winder, brought up;

The Honorable Mr. Crooks brought up the petition of William Winder, Librarian to the two Houses of the Legislature; which was laid on the table; and it was,

And referred to the  
Select Committee  
upon the Contingent  
Accounts.

Ordered, that the same be referred to the Select Committee appointed to report upon the Contingent Accounts.

Report of the Select  
Committee upon  
Boundary Line Com-  
missioners' appoint-  
ment bill, presented.

The Honorable Mr. Macaulay, from the Select Committee to whom was referred the bill entitled, "An Act to authorise the appointment of Commissioners in the several Districts of this Province, for the settlement of disputes concerning boundary lines within such Districts respectively," presented their Report.

Ordered, that it be received; and,

Read.

The same was then read by the Clerk, as follows:

The Report.

The Select Committee to whom has been referred the bill entitled, "An Act to authorise the appointment of Commissioners in the several Districts of this Province, for the settlement of disputes concerning boundary lines within such Districts respectively," beg leave to report:

That the object of this bill is to facilitate the correction of errors and defects in the original surveys made within this Province, and to prevent litigation, and reduce the expenses attendant on disputes respecting boundary lines.

For this purpose, the bill by its first section directs, that three Commissioners shall be appointed by the Executive Government within each District, as "Boundary Commissioners;" one of whom is to be by profession a Surveyor; and it is to be the duty of these Boards to hear and determine all matters of dispute, touching any line or boundary of any township, concession or lot, or part thereof, within their respective Districts; to ascertain and fix such lines, boundaries or divisions, as to them shall seem just and reasonable; and to pronounce such judgment and decree thereon as to a majority of them may seem just in law or equity.

The Commissioners, on receiving notice from the owners of lots in any township of their desire to obtain redress in any case of disputed lines, are authorised to summon all persons inter-

Friday, 3rd March, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

ested to attend their sitting at some convenient place; but before hearing the question the Commissioners, if required by any of the parties, shall personally inspect the contested line, and direct a survey and map thereof to be made, which are afterwards to be filed with their judgment or decision in the Court of Chancery. Power is given to summon and examine witnesses, who are punishable in the usual manner if they commit perjury, and whose evidence is to be reduced to writing, and preserved by the Commissioners for reference, in the event of appeal. The Commissioners may proceed *ex parte* on the non-appearance of either appellant or respondent. The compensation to be allowed the Commissioners, and their Surveyors, is fixed at twenty shillings each, per diem, and the expenses of proceedings under this Act relative to lines (not being merely a dispute between private parties) are to be defrayed from the District funds.

By the eleventh section of this Act, an appeal from the judgment of the Board is given to the Court of Chancery, or the Court of King's Bench, at the option of parties; and it may be dismissed, as provided for by the thirteenth section, if considered by the Court to be frivolous or vexatious.

This is the substance of the bill, which as your Committee observe, is prepared with considerable care, and obviously calculated to be a useful measure. Nevertheless there are many points in which your Committee consider it susceptible of advantageous modifications. The late period, however, at which it reached your Honorable House, has precluded that deliberate investigation into the bearing of its several provisions, which is most desirable in all questions of general importance to the interests of the inhabitants of every portion of the Province.

Your Committee apprehend that it is far more advisable that a measure such as this should lie over for a Session, than that it should go into effect before it had been subjected to a close scrutiny, and fully and maturely considered, and found to possess superior merits.

Your Committee consequently recommend, that your Honorable House do proceed no further with this bill at present.

All which is respectfully submitted,

(Signed) J. MACAULAY,  
CHAIRMAN.

*Committee Room, Legislative Council,*  
Third March, 1837.

On motion made and seconded; it was,

Ordered, that the foregoing report of the Select Committee be adopted.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to incorporate certain persons therein-named as a Board of Trustees for the erection, superintending and management, of a Roman Catholic College at Kingston, to be known by the name of the College of Regiopolis, and for other purposes therein-mentioned."

The Honorable Mr. Macaulay took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time presently.

The same was then read a third time accordingly, and passed:

Whereupon the Speaker signed the bill; and it was,

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill, without any amendment.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to authorise William Johnson to convey to Trustees a lot of Land for purposes therein-mentioned."

The Honorable Mr. Markland took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time presently.

The same was then read a third time accordingly, and passed:

Same adopted.

Regiopolis College  
incorporation bill,  
committed.

Reported.

Adopted.

bill, read third time  
and passed.

Same signed;

And the Assembly  
acquainted thereof.

Johnson's Trustee  
conveyance bill,  
committed.

Reported.

Adopted.

Read third time and  
passed.



Friday, 3rd March, 1837.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

Same signed;

And the Assembly acquainted thereof.

Common School grant bill, committed.

Reported.

Adopted.

Read third time, and passed.

Same signed;

And the Assembly acquainted thereof. Addresses to His Excellency, requesting him to transmit the Joint Addresses to the King, on the Post Office Department; Local Currency; and the Navigation of the St. Lawrence, acceded to by the Assembly.

A Committee appointed to meet a Committee of the Assembly, to know when the same would be received. Members composing the Committee on the part of this House. Assembly acquainted thereof.

London District School establishment bill, committed.

Reported.

Adopted.

Read third time and passed.

Same signed;

And the Assembly acquainted thereof.

Wild Land Tax Law amendment bill, committed.

Reported.

Adopted.

Read third time and passed.

Whereupon the Speaker signed the bill; and it was,

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill, without any amendment.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act granting a sum of money for the support of Common Schools, for the year 1837."

The Honorable Mr. Burnham took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time presently.

The same was then read a third time accordingly, and passed:

Whereupon the Speaker signed the bill; and it was,

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill, without any amendment.

A Deputation from the Commons House of Assembly, returned the several Addresses to His Excellency the Lieutenant Governor, praying him to be pleased to transmit the Joint Addresses to the King, on the subjects of the Post Office Department, the local Currency, and the Navigation of the River Saint Lawrence, and acquainted this House that they had concurred in the same, and then withdrew.

Ordered, that a Committee be appointed to meet a Committee of the Commons House of Assembly, to wait upon His Excellency the Lieutenant Governor, to know when His Excellency would be pleased to receive the last-mentioned Addresses; and,

Ordered, that the Honorable Messieurs Wells and Crooks, do compose the same, on the part of this House for that purpose; and,

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council have appointed the Honorable Messieurs Wells and Crooks, to be a Committee on their part, who will be ready to meet a Committee on the part of the Commons House of Assembly, to-morrow, at the hour of one of the clock, P. M., to wait upon His Excellency the Lieutenant Governor, to know when His Excellency would be pleased to receive the two Houses with their Joint Addresses to the King, on the subjects of the Post Office Department, the local Currency, and the Navigation of the River Saint Lawrence.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to repeal part of an Act passed in the fifty-ninth year of the reign of His late Majesty King George the Third, entitled, 'An Act to repeal part of and to amend the Laws now in force for establishing Public Schools in the several Districts of this Province, and to establish the Public School for the London District in the Town of London.'"

The Honorable Mr. Crooks took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time presently.

The same was then read a third time accordingly, and passed:

Whereupon the Speaker signed the bill; and it was,

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill, without any amendment.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to amend the Laws now in force regulating the sale of lands for arrear of taxes, and for other purposes therein-mentioned."

The Honorable Mr. Markland took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Ordered, that the report be received; and,

Ordered, that the said bill be read a third time presently.

The same was then read a third time accordingly, and passed:

Friday, 3rd March, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

Whereupon the Speaker signed the bill; and it was, Same signed;  
 Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that And the Assembly acquainted thereof.  
 House, that the Legislative Council has passed this bill, without any amendment.  
 On motion made and seconded; it was,  
 Ordered, that a Committee be appointed to wait upon His Excellency the Lieutenant Committee appointed to know when His Excellency would receive this House with their Address upon King's College Charter amendment bill.  
 Governor, to know when His Excellency would be pleased to receive this House with their Members composing same.  
 Address, on the subject of the Charter of the University of King's College; and, Township Officers' Law amendment bill, committed.  
 Ordered, that the Honorable Messieurs Wells and Crooks, do compose the same for that purpose.  
 Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act to amend the Laws for the appointment of Parish and Township Officers."  
 The Honorable Mr. Baldwin took the Chair.  
 After some time the House resumed.  
 The Chairman reported that the Committee had gone through the said bill, and recom- Reported.  
 mended the same, without any amendment, to the adoption of the House.  
 Ordered, that the report be received; and, Adopted.  
 Ordered, that the said bill be read a third time presently.  
 The same was then read a third time accordingly, and passed: Read third time and passed.  
 Whereupon the Speaker signed the bill; and it was, Same signed;  
 Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that And the Assembly acquainted thereof.  
 House, that the Legislative Council has passed this bill, without any amendment.  
 The Honorable Mr. Allan, from the Select Committee appointed to examine and report Report of the Select Committee upon the Contingent Accounts, presented.  
 upon the Contingent Accounts of this House for the present Session, presented their Report.  
 Ordered, that it be received; and,  
 The same was then read by the Clerk, as follows: Read.  
 The Select Committee appointed to examine the Contingent Accounts of the Legislative The Report.  
 Council have done so, and beg leave to report as follows:  
 The Clerk of the House, ..... £1,642 6 5½  
 The Usher of the Black Rod, ..... 297 6 9  
 £1,939 13 2½

The Committee beg to observe, that two items appear in the Clerk's account, amounting to £44 5s. which were disallowed by the Select Committee of last Session, and approved of by your Honorable House, viz. £32 10s. deducted from Mr. Powell's account, and £11 15s. from Mr. Shaw's, as Copying Clerks; consequently the Committee cannot, with propriety, recommend those items to the favorable consideration of your Honorable House, but submit them to the consideration of the House.

The Committee recommend that the sum of £25 be added to the Librarian's Salary.  
 (Signed) W. ALLAN,  
 CHAIRMAN.

*Legislative Council, Committee Room,*  
 Third March, 1837.

On motion made and seconded; it was,  
 Ordered, that the House be put into a Committee of the whole presently, to take the fore-  
 going report into consideration.  
 The House was then put into a Committee of the whole accordingly. Committed.  
 The Honorable Mr. Crooks took the Chair.  
 After some time the House resumed.  
 The Chairman reported that the Committee had gone through the said report, and recom- Resolutions reported.  
 mended the same, together with certain resolutions, to the adoption of the House.  
 Ordered, that the report be received; and,  
 The said resolutions were then severally read by the Clerk, as follows: Read first time.  
*Resolved*, that the Journals of this House be printed, and that one hundred pounds be The Resolutions: For Printing the Journals, and allowing the Clerk £100 for superintending same.  
 allowed to the Clerk thereof for his trouble in superintending the same, and that he be directed to send to the Clerk of the Assembly a copy for each Member of that House.

Friday, 3rd March, 1837.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

For paying the Clerk £100.	<i>Resolved</i> , that one hundred pounds be paid to the Clerk of the Legislative Council, agreeably to a recommendation of the Committee upon the Contingent Accounts of the third Session of the eleventh Parliament.
For paying the Chaplain £50 extra.	<i>Resolved</i> , that the sum of fifty pounds be paid to the Reverend Chaplain of this House, for extra services.
For paying the Master in Chancery £50 extra.	<i>Resolved</i> , that the Master in Chancery be allowed fifty pounds, in addition to his present Salary, agreeably to a recommendation of the Committee upon the Contingent Accounts of the third Session of the eleventh Parliament.
For paying the Usher of the Black Rod £50 extra.	<i>Resolved</i> , that the sum of fifty pounds be paid to the Usher of the Black Rod, agreeably to a recommendation of the Select Committee upon the Contingent Accounts of the third Session of the eleventh Parliament.
For paying the Door-keeper £40 extra.	<i>Resolved</i> , that the Door-keeper be allowed the sum of forty pounds, for extra services, during the present Session.
For paying the Senior Office Clerk £300 annually.	<i>Resolved</i> , that the Senior Clerk, in the Clerk's Writing Office, be allowed the sum of three hundred pounds annually, in lieu of the daily wages heretofore paid to that person.
For restoring 5s. per day to certain Copying Clerks.	<i>Resolved</i> , that the reduction of five shillings per diem from the accounts of the two Copying Clerks during the last Session, amounting to forty-four pounds, five shillings, be restored to those persons.
For paying the Clerk £24, to enable him to cover the travelling expenses of the Welland Canal Committee.	<i>Resolved</i> , that twenty-four pounds be paid to the Clerk, to enable him to cover the travelling expenses of a Committee of this House, ordered to inspect the Welland Canal, at an early period of the Session.
For paying the Librarian £25 extra.	<i>Resolved</i> , that the sum of twenty-five pounds be added to the Librarian's allowance, for the present year.
The resolutions read second time, and adopted.	The said Resolutions being read a second time, and the question of concurrence put on each, they were severally agreed to by the House; and it was, Ordered accordingly.
Amendments to Edwoods and others Naturalization bill, acceded to by the Assembly.	A Deputation from the Commons House of Assembly, returned the bill entitled, "An Act to Naturalize certain persons therein-mentioned," and acquainted this House, that the Commons House of Assembly had acceded to the amendments made by the Legislative Council in and to the same, and then withdrew.
Talbot District erection bill, committed.	Pursuant to the order of the day, the House was put into a Committee of the whole, upon the bill entitled, "An Act erecting the County of Norfolk into a separate District, by the name of the District of Talbot." The Honorable Mr. Wells took the Chair. After some time the House resumed.
Reported.	The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.
Adopted.	Ordered, that the report be received; and, Ordered, that the said bill be read a third time presently.
Read third time and passed.	The same was then read a third time accordingly, and passed:
Same signed;	Whereupon the Speaker signed the bill; and it was,
And the Assembly acquainted thereof.	Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill, without any amendment.
Spirituos Liquor license continuation bill, read second time.	Pursuant to order, the bill entitled, "An Act to continue for a limited time, an Act to impose an additional duty on licenses to vend Wines, Brandy and Spirituous Liquors;" was read a second time; and it was, Ordered, that the House be put into a Committee of the whole, presently, to take the same into consideration.
Committed.	The House was then put into a Committee of the whole accordingly. The Honorable Mr. Stewart took the Chair. After some time the House resumed.
Reported.	The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.
Adopted.	Ordered, that the report be received; and, Ordered, that the said bill be read a third time presently.
Read third time and passed.	The same was then read a third time accordingly, and passed:

Friday, 3rd March, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

Whereupon the Speaker signed the bill; and it was,	Same signed;
Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill, without any amendment.	And the Assembly acquainted thereof.
Pursuant to order, the bill entitled, "An Act to continue for a limited time, an Act for licensing Ale and Beer Houses;" was read a second time; and it was,	Ale and Beer License continuation bill, read second time.
Ordered, that the House be put into a Committee of the whole, presently, to take the same into consideration.	
The House was then put into a Committee of the whole accordingly.	Committed.
The Honorable Mr. Baldwin took the Chair.	
After some time the House resumed.	
The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.	Reported.
Ordered, that the report be received; and,	Adopted.
Ordered, that the said bill be read a third time presently.	
The same was then read a third time accordingly, and passed:	Read third time and passed.
Whereupon the Speaker signed the bill; and it was,	Same signed;
Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill, without any amendment.	And the Assembly acquainted thereof.
Pursuant to order, the bill entitled, "An Act to continue for a limited time, an Act entitled, 'An Act to promote the public health, and to guard against infectious diseases in this Province;'" was read a second time; and it was,	Public Health promotion bill, read second time.
Ordered, that the House be put into a Committee of the whole, presently, to take the same into consideration.	
The House was then put into a Committee of the whole accordingly.	Committed.
The Honorable Mr. Vankoughnet took the Chair.	
After some time the House resumed.	
The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.	Reported.
Ordered, that the report be received; and,	Adopted.
Ordered, that the said bill be read a third time presently.	
The same was then read a third time accordingly, and passed:	Read third time, and passed.
Whereupon the Speaker signed the bill; and it was,	Same signed;
Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has passed this bill, without any amendment.	And the Assembly acquainted thereof.
The order of the day being read for putting the House into a Committee of the whole, upon the bill entitled, "An Act to facilitate the proceedings of the Farmers' Joint Stock Banking Company, and to protect the interests of the public;" it was,	Farmers' Joint Stock Bank facility bill, discharged from the order of the day.
Ordered, that it be discharged, and that the same do stand upon the order of the day for Monday next.	
The Honorable Mr. Allan, from the Select Committee appointed to prepare an Address to His Excellency the Lieutenant Governor, in relation to the bill entitled, "An Act to provide for the disposal of the public lands in this Province, and for other purposes therein-mentioned," pursuant to the 42nd section of the 31st Geo. 3rd, chap. 31st, reported an Address.	Report of the Select Committee appointed to prepare an Address to His Excellency, upon Public Lands disposition bill, presented.
Ordered, that the report be received; and,	
The said Address was then read by the Clerk, as follows:	Address read first time.
<p><i>To His Excellency SIR FRANCIS BOND HEAD, Knight Commander of the Royal Hanoverian Guelphic Order, Knight of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &amp;c. &amp;c. &amp;c.</i></p>	
<p>MAY IT PLEASE YOUR EXCELLENCY:</p>	
<p>We, His Majesty's dutiful and loyal Subjects, the Legislative Council of Upper Canada, in Provincial Parliament assembled, respectfully beg leave to represent to your Excellency, that we have concurred with the House of Assembly in passing a bill during the present Session, entitled, "An Act to provide for the disposal of the public lands in this Province, and for other purposes therein-mentioned," which contains provisions relating to and affecting the King's Prerogative, touching the granting of waste lands of the Crown within this Province, and in order that effect may be given to the said bill, we beg that Your Excellency will be pleased to transmit the same to England, without delay, for the purpose of being laid before</p>	The Address.

Saturday, 4th March, 1837.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

Parliament, previous to the signification of His Majesty's assent thereto, as required by the 42nd section of the Statute passed in the 31st year of the reign of His late Majesty King Geo. 3rd, chap. 31st.

Same adopted.

On motion made and seconded; it was,

Ordered, that the foregoing Address be adopted; and,

Committee appointed to wait upon His Excellency, to know when it would be received.

Ordered, that a Committee be appointed to wait upon His Excellency the Lieutenant Governor, to know when His Excellency would be pleased to receive the said Address, and to present it; and,

Members composing same.

Ordered, that the Honorable Messieurs Crooks and Vankoughnet, do compose the same for that purpose.

Message from the Assembly:

A Deputation from the Commons House of Assembly brought up, and delivered at the Bar of this House, a Message in the following words, and then withdrew:

MR. SPEAKER,

Transmitting an address to the King, on the subject of the Union of the Provinces.

The Commons House of Assembly have passed an Address to His Majesty, on the subject of the Union of this Province with Lower Canada, which they communicate to the Honorable the Legislative Council, and request their concurrence therein.

(Signed) ARCHIBALD McLEAN,

SPEAKER.

*Commons House of Assembly,*

Third day of March, 1837.

Read first time.

The Address was then read by the Clerk, as follows:

(For the Address—See Appendix O.)

On motion made and seconded, it was,

Ordered, that the foregoing Address be referred to a Committee of the whole House to-morrow.

House adjourns.

On motion made and seconded, the House adjourned until to-morrow, at the hour of ten of the clock, A. M.

SATURDAY, 4th MARCH 1837.

House meets.

The House met pursuant to adjournment.

PRESENT:

Members present.

*The Honorable* JOHN B. ROBINSON, SPEAKER.

*The Honorable* Mr. DICKSON,

*The Hon. & Ven. The* ARCHDEACON OF YORK,

*The Honorable Messrs.* WELLS,

“ “ CAMERON,

“ “ MARKLAND,

“ “ ALLAN,

“ “ McDONELL,

*The Honorable Messrs.* BURNHAM,

“ “ ELMSLEY,

“ “ BALDWIN,

“ “ CROOKS,

“ “ STEWART,

“ “ MACAULAY,

“ “ VANKOUGHNET.

Prayers were read.

The Minutes of yesterday were read.

Address to the King, on the Union of the Provinces, committed.

Pursuant to the order of the day, the House was put into a Committee of the whole, upon the Address of the Commons House of Assembly to His Majesty, on the subject of the Union of the Provinces.

The Honorable Mr. Markland took the Chair.

After some time the House resumed.

Reported.

The Chairman reported that the Committee had gone through the said Address, and recommended the same to the adoption of the House.

Adopted.

Ordered, that the report be received; and,

Ordered, that the said Address be read a third time presently.

Read third time and passed.

The same was then read a third time accordingly, and passed:

Same signed:

Whereupon the Speaker signed the Address; and it was,

And the Assembly acquainted thereof.

Ordered, that the Master in Chancery do go down to the Assembly, and acquaint that House, that the Legislative Council has concurred in the same.

Saturday, 4th March, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

The Honorable Mr. Crooks, from the Select Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of this House, on the subject of Crown Lands, reported the delivery thereof, and that His Excellency was pleased to make thereto the following reply :

Report of the Select Committee appointed to present His Excellency with the address upon Public Lands disposition bill.

GENTLEMEN :

I shall lose no time in transmitting, to His Majesty's Secretary of State, a copy of the bill mentioned in this Address, relative to the disposal of the waste lands of the Crown in this Province.

His Excellency's reply thereto

A Deputation from the Commons House of Assembly brought up a bill entitled, "An Act to grant a certain sum of money for the relief of the poor and destitute, in the City of Toronto," to which they requested the concurrence of this House, and then withdrew.

Toronto Poor relief bill, brought up.

The said bill was then read; and it was,

Read first time.

Ordered, that the same be read a second time presently.

Read second time.

The bill was then read a second time accordingly; and it was,

Ordered, that the House be put into a Committee of the whole presently, to take the same into consideration.

The House was then put into a Committee of the whole accordingly.

Committed.

The Honorable Mr. Elmsley took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the said bill, and recommended the same, without any amendment, to the adoption of the House.

Reported.

Ordered, that the report be received; and,

Adopted.

Ordered, that the said bill be read a third time presently.

The same was then read a third time accordingly, and passed:

Read third time and passed.

Whereupon the Speaker signed the bill; and it was,

Same signed;

Ordered, that the Master in Chancery do go down to the Assembly and acquaint that House, that the Legislative Council has passed this bill, without any amendment.

And the Assembly acquainted thereof.

On motion made and seconded; it was,

Ordered, that an Address be presented to His Excellency the Lieutenant Governor, in the following words:

An Address to His Excellency ordered:

*To His Excellency SIR FRANCIS BOND HEAD, Knight Commander of the Royal Hanoverian Guelphic Order, Knight of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY :

We, His Majesty's dutiful and loyal Subjects, the Legislative Council and House of Assembly of Upper Canada, in Provincial Parliament assembled, have agreed to an humble Address to His Majesty, on the subject of the Union of the Provinces, which we respectfully pray Your Excellency will be pleased to transmit to the Secretary of State for the Colonies, in order that it may be laid at the foot of the Throne.

Requesting him to transmit the Joint Address to the King, on the subject of the Union of the Provinces.

Ordered, that the foregoing Address be sent to the Commons House of Assembly by the Master in Chancery, for the concurrence of that House.

And sent to the Assembly for concurrence.

It was moved and seconded, that it be,

*Resolved*, that the Clerk be instructed to procure lamps for the sufficient lighting the Chamber of the Legislative Council, by the next Session.

A resolution moved, for authorising the Clerk to procure lamps for lighting the Chamber of the Legislative Council.

The said resolution being read a second time, and the question of concurrence put thereon, it was agreed to by the House; and it was,

Read second time, and adopted.

Ordered accordingly.

It was moved and seconded, that it be,

*Resolved*, that the Speaker of this House be directed to transmit a copy of the Joint Address of this Legislature to His Majesty on the subject of the Post Office Department, to the Speaker of the Legislative Council of Lower Canada, for the information of that Honorable Body.

A resolution moved, for directing the Speaker to transmit a copy of the Joint Address to the King, on the subject of the Post Office Department, to the Speaker of the Legislative Council of Lower Canada.

The said resolution being read a second time, and the question of concurrence put thereon, it was agreed to by the House; and it was,

Read second time, and adopted.

Ordered accordingly.

Saturday, 4th March, 1837.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

Report of the Select Committee appointed to know when His Excellency would receive this House with their Address upon King's College Charter amendment bill.

The Honorable Mr. Wells, from the Select Committee appointed to wait upon His Excellency the Lieutenant Governor, to know when His Excellency would be pleased to receive this House with their Address on the subject of the Charter of the University of King's College, reported that they had done so, and that His Excellency had named the hour of two of the clock, this day, for that purpose.

Report of the Joint Committee appointed to know when His Excellency would receive the two Houses, with their Joint Addresses to the King, on the Post Office Department; the Currency; and the Navigation of the River Saint Lawrence. The last-mentioned Addresses presented.

The Honorable Mr. Wells, from the Joint Committee appointed to wait upon His Excellency the Lieutenant Governor, to know when His Excellency would be pleased to receive the two Houses with their several Joint Addresses to the King, on the subjects of the Post Office Department; the Currency; and the Navigation of the River Saint Lawrence; reported that they had done so, and that His Excellency had named half an hour past two of the clock, this day, for that purpose.

At the time appointed, the Legislative Council and House of Assembly proceeded to the Government House with their several Joint Addresses to His Majesty, last-mentioned; and having returned,

Speaker reports His Excellency's reply thereto.

The Honorable the Speaker reported, that His Excellency had been pleased to receive the same, and to reply thereto, as follows:

*Honorable Gentlemen of the Legislative Council; and,  
Gentlemen of the House of Assembly:*

The Reply.

I shall have great pleasure in transmitting, to His Majesty's Secretary of State for the Colonies, your several Joint Addresses to the King, to be laid at the foot of the Throne.

Address to His Excellency, upon King's College Charter amendment bill, presented.

At the time appointed, the Legislative Council proceeded to the Government House with their Address to His Excellency the Lieutenant Governor, on the subject of the Charter of the University of King's College; and having returned,

Speaker reports His Excellency's reply thereto.

The Honorable the Speaker reported, that His Excellency had been pleased to receive the same, and to reply thereto as follows:

*Honorable Gentlemen of the Legislative Council:*

The reply.

I shall have great pleasure in transmitting, to His Majesty's Secretary of State for the Colonies, a copy of your Address to me, for His Majesty's information.

His Excellency comes to the House, and commands the attendance of the Assembly.

At three of the clock, P.M., His Excellency the Lieutenant Governor having come to the Legislative Council Chamber, and being seated on the Throne, the Gentleman Usher of the Black Rod was ordered to direct the immediate attendance of the House of Assembly; who being come:

His Excellency was pleased, in His Majesty's name, to assent to the following bills:

He assents to:

Hastings Division bill.

3.—An Act to authorise the erection of the County of Hastings into a separate District.

Caledonia Springs Company's incorporation bill.

4.—An Act to incorporate a Joint Stock Company for the improvement of the Mineral Springs in the township of Caledonia, in the Ottawa District.

Ottawa River survey bill.

5.—An Act to provide for a Survey of the Ottawa River, and the Country bordering on it, together with the Country and waters lying between that River and Lake Huron.

King's College Charter amendment bill.  
London and Devonport Rail-road bill.

6.—An Act to amend the Charter of the University of King's College.

7.—An Act granting a Charter to an incorporated Company, under the style and title of the President and Directors of the London and Devonport Rail-road and Harbour Company.

Cobourg Police bill.

8.—An Act to establish a Police in the Town of Cobourg, and to define the limits of the said Town.

Colborne Harbour Company's incorporation bill.

9.—An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Colborne Harbour.

Louth Harbour Company's loan bill.

10.—An Act granting a loan to the Louth Harbour Company, in the Niagara District.

Lyndhurst Mining Company's incorporation bill.

11.—An Act to incorporate sundry persons under the style and title of the Lyndhurst Mining and Manufacturing Company.

Welland Canal completion bill.

12.—An Act to provide for the permanent completion of the Welland Canal, and for other purposes therein-mentioned.

Gananoque and Wiltsie Navigation Company's loan bill.

13.—An Act to afford aid, by way of loan, to the Gananoque and Wiltsie Navigation Company, and to amend the Act of incorporation of the said Company.

Saturday, 4th March, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

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|--|--|
| 14.—An Act to establish two additional Markets in the City of Toronto.   | Toronto additional Markets bill.                                     |
| 15.—An Act to compel vessels to carry a light during the night, and to make sundry provisions to regulate the Navigation of the waters of this Province.   | Vessels Navigation regulation bill.                                  |
| 16.—An Act granting to His Majesty a sum of money, to be raised by Debenture, for the improvement of the Navigation of the River Trent.  | Trent River Navigation grant bill.                                   |
| 17.—An Act to enable the Proprietors or Shareholders of a Company called the Bank of British North America, to sue and be sued in the name of any one of the local Directors, or Manager for the time being of the said Company, in this Province, and for other purposes therein-mentioned.   | British North America Bank bill.                                     |
| 18.—An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Port Darlington Harbour.  | Port Darlington Harbour Company's incorporation bill.                |
| 19.—An Act to enable the Canada Company to erect a Harbour at Goderich, on Lake Huron.   | Goderich Harbour erection bill.                                      |
| 20.—An Act to alter and amend the Act incorporating sundry persons under the name of the London and Gore Rail-road Company, and to grant them a sum of money by way of loan.   | London and Gore Rail-road Company's Charter amendment and loan bill. |
| 21.—An Act to incorporate sundry persons under the style and title of the Beverley Navigation Company.   | Beverley Navigation Company's incorporation bill.                    |
| 22.—An Act to establish a Court of Chancery in this Province.  | Chancery Court establishment bill.                                   |
| 23.—An Act to authorise His Majesty's Justices to hold Courts of Oyer and Terminer, Assize and Nisi Prius, and General Gaol Delivery, in the Ottawa District.  | Ottawa District Assize Court bill.                                   |
| 24.—An Act to regulate the expenditure of the District Funds within this Province.   | District Funds regulation bill.                                      |
| 25.—An Act to authorise the payment of a certain portion of the War Losses.  | War loss payment bill.   |
| 26.—An Act to authorise the construction of a Macadamized road from Dundas to Waterloo, in the Gore District.  | Dundas and Waterloo Road Macadamization bill.                        |
| 27.—An Act to establish Agricultural Societies, and to encourage Agriculture in the several Districts of this Province.  | Agricultural Societies establishment bill.                           |
| 28.—An Act to raise a sum of money to Macadamize the road between the Town of Kingston and the Village of Napanee, in the Midland District, and for other purposes therein-mentioned.  | Kingston and Napanee Road Macadamization bill.                       |
| 29.—An Act granting a sum of money to improve a Harbour in the township of Whitby, in the Home District.   | Whitby Harbour grant bill.   |
| 30.—An Act granting a sum of money to the Port Burwell Harbour Company, by way of loan.  | Port Burwell Harbour Company's loan bill.                            |
| 31.—An Act to revive and continue for a limited time, an Act passed in the third year of His present Majesty's reign, entitled, "An Act to continue an Act passed in the eleventh year of His late Majesty's reign, entitled, 'An Act to authorise the Quarter Sessions of the Home District to provide for the relief of insane destitute persons in that District, and to extend the provisions of the same to the other Districts of this Province.'" | Insane persons relief bill.  |
| 32.—An Act granting pecuniary aid to the Grantham Academy, by way of loan.   | Grantham Academy loan bill.  |
| 33.—An Act granting a further sum of money for completing the Macadamization of Yonge Street, and other roads in the Home District.  | Yonge-street and other Roads Macadamization further grant bill.      |
| 34.—An Act to incorporate certain persons under the style and title of the President, Directors and Company, of the Fort Erie Canal Company.   | Fort Erie Canal Company's incorporation bill.                        |
| 35.—An Act to grant a loan to the Port Dover Harbour Company, and increase the Capital Stock of the said Company.  | Port Dover Harbour Company's loan bill.                              |
| 36.—An Act granting a sum of money to His Majesty, for the remuneration of certain services rendered by the late Hugh C. Thomson, Esquire.   | Thomson's remuneration bill.   |
| 37.—An Act to loan a sum of money to the Erie and Ontario Rail-road Company.   | Erie and Ontario Rail-road Company's loan bill.                      |
| 38.—An Act for granting a sum of money to defray a part of the expense to finish the Survey of the River Thames, from Chatham to London.   | River Thames survey bill.  |
| 39.—An Act to prevent the dissolution of the Parliament of this Province, in the event of a demise of the Crown.   | Parliament dissolution prevention bill.                              |
| 40.—An Act to alter and amend an Act passed in the fourth year of His Majesty's reign, entitled, "An Act to extend the limits of the Town of York, to erect the said Town into a City, and to incorporate it under the name of the City of Toronto."   | Toronto City Charter amendment bill.                                 |



Saturday, 4th March, 1837.

## FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

- District of Simcoe  
erection bill. 41.—An Act to authorise the erection of the County of Simcoe into a separate District, by the name of the District of Simcoe.
- Midland District  
School Society's  
Incorporation amend-  
ment bill. 42.—An Act to amend an Act passed in the fifty-fifth year of the reign of His late Majesty George the Third, entitled, "An Act to incorporate the Midland District School Society.
- Brockville road  
Macadamization bill. 43.—An Act to raise a sum of money to Macadamize the roads leading from Brockville to Saint Francis, Charleston, Lyndhurst, Beverley and Portland, in the District of Johnstown, and to authorise the erection of Toll-gates on the said roads.
- Great Western  
Rail-road Company's  
interest payment bill. 44.—An Act to provide for the payment, in certain cases, of the interest on the loan for the construction of the Great Western Rail-road.
- Brock District  
erection bill. 45.—An Act to authorise the erection of the County of Oxford into a separate District, by the name of the District of Brock.
- Newcastle Inland  
Navigation amend-  
ment bill. 46.—An Act to amend an Act passed during the last Session, entitled, "An Act to improve the Navigation of the inland waters of the District of Newcastle.
- Rouge Hill grant  
amendment bill. 47.—An Act to amend an Act passed during the last Session, entitled, "An Act granting a sum of money for improving the Hill at the River Rouge, and other purposes therein-mentioned."
- Gull Island Light-  
house grant amend-  
ment bill. 48.—An Act to amend an Act passed during the last Session, entitled, "An Act to amend an Act passed in the first Session of the present Parliament, entitled, 'An Act granting a sum of money for the erection of a Light-house on Gull Island, or such other place as the Commissioners may select."
- Court of Requests law  
amendment bill. 49.—An Act to amend the Law relating to the Court of Requests.
- General Light-house  
grant amendment bill. 50.—An Act granting to His Majesty a sum of money for the erection of certain Light-houses within the Province, and for other purposes therein-mentioned.
- Toronto Hospital  
grant bill. 51.—An Act granting a sum of money in aid of the Toronto Hospital.
- Clerk of the Crown  
in Chancery's Salary  
bill. 52.—An Act granting a Salary to the Clerk of the Crown in Chancery, and for other purposes therein-mentioned.
- Hon. J. H. Dunn's  
remuneration bill. 53.—An Act to remunerate the Honorable John Henry Dunn, for services rendered to this Province.
- Desjardin's Canal  
Company's loan bill. 54.—An Act granting a further loan to complete the Desjardin's Canal, and for other purposes therein-mentioned.
- Credit Harbour Com-  
pany's loan bill. 55.—An Act authorising His Majesty to loan a sum of money to the Credit Harbour Company.
- Penitentiary provision  
bill. 56.—An Act providing for the support of the Provincial Penitentiary.
- Kingston Hospital  
aid bill. 57.—An Act granting a sum of money in aid of the Kingston Hospital.
- District Industry  
Houses erection bill. 58.—An Act to authorise the erection and provide for the maintenance of Houses of Industry in the several Districts of this Province.
- Grand River Naviga-  
tion Company's loan  
bill. 59.—An Act to loan a certain sum of money to the Grand River Navigation Company.
- Thames Toll-bridge  
grant bill. 60.—An Act granting a sum of money for the erection of a Toll-bridge over the River Thames, at Chatham, in the Western District.
- Library grant bill. 61.—An Act granting a sum of money for the purpose of purchasing Books for the Library, and for other purposes therein-mentioned.
- Equity Judge's Salary  
provision bill. 62.—An Act to provide a Salary for a Judge in Equity.
- King's Bench Judges  
increase bill. 63.—An Act to increase the present number of the Judges of His Majesty's Court of King's Bench in this Province, to alter the terms for the sitting of the said Court, and for other purposes therein-mentioned.
- Civil List bill. 64.—An Act granting a sum of money to His Majesty to support the Administration of the Civil Government of the Province, for the current year.
- Toronto and Lake  
Huron Rail-road  
loan bill. 65.—An Act granting a loan to the City of Toronto and Lake Huron Rail-road Company, and for other purposes therein-mentioned.
- Toronto Harbour  
grant bill. 66.—An Act granting a certain sum of money to complete the improvement of the Harbour at Toronto.
- Tay Navigation Com-  
pany's loan bill. 67.—An Act granting a sum of money, by way of loan, to the President, Directors and Company, of the Tay Navigation Company.
- Dunnville Bridge  
grant bill. 68.—An Act to grant the Commissioners of the Dunnville Bridge a certain sum of money to complete the same.
- Burlington Bay Canal  
grant bill. 69.—An Act granting a sum of money to complete the Burlington Bay Canal, and for other purposes therein-mentioned.

Saturday, 4th March, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

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| 70.—An Act to provide for a survey of the South Petite Nation River, together with the Country lying between that River and the River Saint Lawrence.   | Petit Nation River Survey grant bill.                     |
| 71.—An Act to authorise the President, Directors and Company, of the Bank of Montreal to collect debts due to them in this Province, notwithstanding the expiration of their Charter, under certain restrictions therein-mentioned.   | Montreal Bank's provision bill.                           |
| 72.—An Act authorising the Magistrates of the Midland District to make rules and regulations for the prevention of accidental fires in the Town of Kingston, and for other purposes therein-mentioned.  | Kingston Police law amendment bill.                       |
| 73.—An Act to raise a sum of money to Macadamize the main road leading from Hamilton to Brantford, in the District of Gore, and for other purposes therein-mentioned.   | Hamilton and Brantford Road Macadamization bill.          |
| 74.—An Act to raise a sum of money to Macadamize the main road from Queenston to the west boundary line of Grimsby, in the Niagara District, and for other purposes therein-mentioned.  | Queenston & Grimsby Road Macadamization bill.             |
| 75.—An Act to authorise a loan to the Cobourg Rail-road Company.  | Cobourg Rail-road Company's loan bill.                    |
| 76.—An Act to authorise the Members of the Legislative Council and House of Assembly of this Province to frank letters by the General Post, during the Sessions of the Legislature.   | Letter franking bill.                                     |
| 77.—An Act to make good certain monies advanced in compliance with the Address of the House of Assembly during the present Session, for the contingent expenses of the last Session of the Legislature of this Province.  | Covering bill.  |
| 78.—An Act to amend the law for the improvement of the Navigation of the Saint Lawrence.  | St. Lawrence Navigation amendment bill.                   |
| 79.—An Act granting a sum of money, by way of loan, to Macadamize Hurontario Street, south of Dundas Street, to the Lake Shore.   | Hurontario Street Macadamization bill.                    |
| 80.—An Act to alter and amend an Act passed during the last Session of the Legislature, entitled, "An Act granting to His Majesty a sum of money for the improvement of the Roads and Bridges in the several Districts of this Province.  | Road and Bridge grant law amendment bill.                 |
| 81.—An Act granting to His Majesty a sum of money to remunerate the Arbitrator appointed to ascertain the amount of Revenue to be paid to this Province from Lower Canada.  | Provincial Arbitrator's remuneration bill.                |
| 82.—An Act to provide for the payment of Light-house Keepers in this Province, to maintain lights in the several Light-houses, and for other purposes therein-mentioned.  | Light-house Keepers' Salary payment bill.                 |
| 83.—An Act authorising the payment of Pensions to Militiamen disabled during the War with the United States of America, under certain restrictions.   | Militia Pension payment bill.                             |
| 84.—An Act to amend the laws relating to the collection of Duties on imports from the United States into this Province, and for other purposes therein-mentioned.   | United States Duty bill.                                  |
| 85.—An Act to incorporate certain persons therein-named, as a Board of Trustees for the erection, superintending, and management of a Roman Catholic College at Kingston, to be known by the name of the College of Regiopolis, and for other purposes therein-mentioned.   | Regiopolis College incorporation bill.                    |
| 86.—An Act to authorise William Johnson to convey to Trustees a lot of land, for purposes therein-mentioned.  | Johnson's Trustee Conveyance bill.                        |
| 87.—An Act to make further provision respecting the affording of public aid to the Great Western Rail-road, and the Toronto and Lake Huron Rail-road, and for other purposes therein-mentioned.   | Great Western, and Toronto and Lake Huron Rail-road bill. |
| 88.—An Act granting a sum of money for the support of Common Schools, for the year 1837.  | Common School grant bill.                                 |
| 89.—An Act to repeal part of an Act passed in the fifty-ninth year of the reign of His late Majesty King George the Third, entitled, "An Act to repeal part of and to amend the laws now in force for establishing Public Schools in the several Districts of this Province, and to establish the Public School for the London District, in the Town of London. | London District School establishment bill.                |
| 90.—An Act to amend the laws now in force regulating the sale of Lands for arrears of taxes, and for other purposes therein-mentioned.  | Wild Land Tax law amendment bill.                         |
| 91.—An Act to amend the laws for the appointment of Parish and Township Officers.   | Township Officers' Law amendment bill.                    |
| 92.—An Act erecting the County of Norfolk into a separate District, by the name of the District of Talbot.  | Talbot District erection bill.                            |

## Saturday, 4th March, 1837.

## FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

- Picton Police establishment bill. 93.—An Act to incorporate the Villages of Hallowell and Picton, by the name of the Town of Picton, and establish a Police therein.
- Private Banking bill. 94.—An Act to protect the public against injury from private Banks.
- Public Health promotion bill. 95.—An Act to continue for a limited time, an Act entitled, "An Act to promote the public health, and to guard against infectious diseases in this Province."
- Spirituous Liquor License continuation bill. 96.—An Act to continue for a limited time, an Act entitled, "An Act to impose an additional duty on licenses to vend Wines, Brandy and Spirituous Liquors."
- Ale and Beer License continuation bill. 97.—An Act to continue for a limited time, an Act for licensing Ale and Beer Houses.
- Toronto Poor relief bill. 98.—An Act to grant a certain sum of money for the relief of the poor and distressed in the City of Toronto.
- Sentence of Death commutation bill. 99.—An Act to provide more effectually for the punishment of certain offences, and to enable the Governor, Lieutenant Governor, or Person Administering the Government of this Province, to commute the sentence of Death, in certain cases, for other punishment in this Act mentioned.
- Bill of Exchange law amendment bill. 100.—An Act to amend the Law respecting Bills of Exchange and Promissory Notes.
- Convicts transportation bill. 101.—An Act respecting the Transportation of Convicts.
- White's Trustee bill. 102.—An Act to appoint Trustees to carry into effect the provisions of the Will of John White, Esquire, deceased.
- Justice advancement bill. 103.—An Act for the further amendment of the Law, and the better advancement of Justice.
- Quarter Sessions time and place appointment bill. 104.—An Act to appoint the time and place for holding the Court of General Quarter Sessions of the Peace, in each of the several Districts of this Province, and to repeal the several Laws now in force for that purpose.
- Quarter Sessions jurisdiction extension bill. 105.—An Act to abolish the distinction between Grand and Petit Larceny, and to enable the Courts of General Quarter Sessions of the Peace to try all cases of simple Larceny, under certain restrictions, and to amend the Law for the punishment of Larceny.
- Seduction provision bill. 106.—An Act to make the remedy in cases of Seduction more effectual, and to render the fathers of illegitimate children liable for their support.
- Corporations' legal remedy continuation bill. 107.—An Act to revive, continue and amend, an Act passed in the third year of His present Majesty's reign, entitled, "An Act to facilitate legal remedies against Corporations."
- Standing forms bill. 108.—An Act to supply, by a general law, certain forms of enactment in common use, which may render it unnecessary to repeat the same in Acts to be hereafter passed.
- Chatham and Camden boundary line bill. 109.—An Act to establish the boundary lines in front of lots on the River Thames, in the townships of Chatham and Camden, in the Western District.
- English and other Attornies admission bill. 110.—An Act to amend the Law for the admission of Barristers and Attornies, and to provide for the further relief of William Conway Keele.
- Home District New Gaol bill. 111.—An Act to authorise the Magistrates of the Home District to erect a new Gaol within the said District.
- Saltfleet and Binbrook concession line bill. 112.—An Act to amend an Act passed in the first year of His present Majesty's reign, entitled, "An Act to provide for settling and determining, by arbitration, certain difficulties that have arisen or may arise between persons owning land in the eighth concession of Saltfleet, and persons owning or claiming to own lands in the first concession Binbrook, who, through mistake, may have made improvements on the rear part of the said eighth concession of Saltfleet.
- Estreats recovery bill. 113.—An Act for the more convenient recovery of Estreats.

And His Excellency the Lieutenant Governor was pleased to reserve the following bills, for the signification of His Majesty's pleasure thereon:

- Bills reserved by His Excellency, viz:
- Brockville Bank bill. 1.—An Act to establish a Bank at Brockville, in the District of Johnstown.
- U. C. Loan and Trust bill. 2.—An Act to incorporate certain persons under the style of the Upper Canada Loan and Trust Company.
- Newcastle District Bank bill. 3.—An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Bank of the Newcastle District.
- Brockville Insurance and Loan bill. 4.—An Act to incorporate sundry persons under the style and title of the President and Directors of the Upper Canada Life Insurance and Trust Company.
- Erie and Ontario Bank bill. 5.—An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Erie and Ontario Bank, of the Niagara District.
- Prescott Bank bill. 6.—An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Prescott Bank.

Saturday, 4th March, 1837.

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

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| 7.—An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Prince Edward District Bank.   | Prince Edward District Bank bill.      |
| 8.—An Act incorporating a Joint Stock Company, under the style and title of the President, Directors and Company, of the London District Bank.   | London District Bank bill.             |
| 9.—An Act to amend the Charter and increase the Capital Stock of the Gore Bank.  | Gore Bank Charter amendment bill.      |
| 10.—An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Western District Bank.  | Sandwich Bank bill.                    |
| 11.—An Act to incorporate sundry persons under the style and title of the Niagara District Bank.   | Niagara District Bank bill.            |
| 12.—An Act erecting certain parts of the Counties of Halton and Simcoe into a new District, by the name of the District of Wellington.   | Wellington District erection bill.     |
| 13.—An Act better to secure the independence of the Commons House of Assembly of this Province, and for other purposes therein-mentioned.  | Assembly's independence security bill. |
| 14.—An Act to incorporate sundry persons under the style and title of the President, Directors and Company, of the Freeholders Bank of Upper Canada.   | Freeholders' Bank incorporation bill.  |
| 15.—An Act to increase the Capital Stock of the Bank of Upper Canada, and to alter and amend the Charter thereof.  | Upper Canada Bank increase stock bill. |
| 16.—An Act to Naturalize certain persons therein-mentioned.  | Certain persons' Naturalization bill.  |
| 17.—An Act to provide for the disposal of the Public Lands in this Province, and for other purposes therein-mentioned.   | Public Lands disposition bill.         |
| 18.—An Act to authorise the erection of certain townships and other territory, heretofore forming part of the Newcastle District, into a new District, by the name of the District of Colborne, with Peterborough for the District Town. | Colborne District erection bill.       |
| 19.—An Act for increasing the Capital Stock of the Commercial Bank of the Midland District.  | Commercial Bank increase stock bill.   |

After which His Excellency the Lieutenant Governor was pleased to address the two Houses of the Legislature, in the following words:

*Honorable Gentlemen of the Legislative Council; and,  
Gentlemen of the House of Assembly:*

In closing this eventful Session, I feel it my duty to acknowledge the patient and unremitting attention you have bestowed on the various subjects which have so successfully claimed your consideration.

The important law improvements which you have introduced will give stability to the commercial character of this Province; for society becomes licentious and property insecure, the moment the national passion for acquiring wealth is permitted to outstrip the legislative judgment necessary for securing it: or in other words, so soon as the will of the people becomes stronger than the power of the law; but with satisfaction I observe, you have wisely guarded against the occurrence of this evil.

By the appointment of two additional Judges to the Court of King's Bench, the outer Districts will receive the advantage of a second Circuit, while the extension of the jurisdiction of the Courts of Quarter Sessions, will tend to prevent those long and demoralizing imprisonments which have hitherto preceded the trial of the parties accused.

The establishment of a Court of Equity, will give immediate relief to a numerous class of cases which have hitherto lingered without remedy in law. Titles honestly acquired, but defective from accident or mistake, will now be secured. Frauds beyond the reach of Courts of Common Law, will now be overtaken. Infants and Lunatics will henceforward be protected in their persons and estates.

Second only in importance to securing in Upper Canada a prompt and perfect administration of justice, are those amendments in the Charter of King's College, by which, on very liberal principles, you have established this Capital as the principal seat of learning in British North America. This long disputed subject being finally settled, the munificent endowment of our Sovereign will, in addition to other important advantages, now provide a constant supply of teachers, qualified to diffuse over the remote parts of the Province the inestimable blessings of education.

The next of the measures of this Session, to which I deem it proper particularly to advert, are those which relate to the internal improvement of the Province, such as the completion of

Speech of His Excellency, at the prorogation.

Saturday, 4th March, 1837.

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

that noble undertaking, the Welland Canal—the formation of a great Western, and also of a Northern Rail-road—the opening of the navigation of the Trent—the survey of the Ottawa—the general improvement of the roads, (a portion of which are to be Macadamized,)—and various grants for the formation of Harbours.

I trust that during the approaching recess your influence will individually be exerted in carrying these operations into effect, with the strictest possible economy.

In consequence of the arrangement you lately submitted to me, having felt myself authorised to order the payment of the whole of the war losses, with pleasure I announce, that this question, which has been upwards of twenty years under discussion, is now adjusted.

The important alterations you have recommended in the Land-granting Department will, I am confident, produce a feeling of general satisfaction throughout the Province, and I shall exert the new authority proposed to be invested in me (to grant land to actual Settlers on terms more advantageous than the market price, and consequently contrary to your own private interests,) solely for the encouragement of Emigration; Indeed, I believe that your labours during this Session will materially promote that desirable object; for British Capital is ever ready to flow spontaneously to the Colony whose laws appear most capable to protect it, while the best description of our Emigrants are equally eager to direct their enterprising steps to any spot where, (as in Upper Canada) in real independence, they can enjoy British sentiments—religious and moral education for their children—a healthy climate, and rich land.

The reasons which have made it necessary for me to reserve the various Bills granting Corporate Banking powers, have been already fully communicated to you. I shall lose no time in submitting these measures for the consideration of His Majesty's Government, and have no doubt they will promptly receive the attention which is due to their importance.

*Gentlemen of the House of Assembly :*

I thank you for the promptitude with which you relieved the King's Government from the embarrassment it had been labouring under, in consequence of the Supplies for the Public Service having been withheld, and I also acknowledge the liberality with which you have granted the Supplies for the current year.

The numerous appointments and the Commissionerships for the expenditure of the Public Money which you have entrusted to my selection, shall be made without favor or partiality.

*Honorable Gentlemen and Gentlemen :*

I have not failed to observe the harmony and mutual good feeling which have prevailed between the two branches of the Legislature to which you respectively belong, and I trust that in the various Districts of this Province to which you are about to repair, you will endeavour, by every means in your power, to encourage those feelings of loyalty and unanimity which have distinguished your own deliberations during a Session, the result of which will, I believe, be gratifying to your Sovereign—advantageous to your Country, and conducive to the general prosperity of the Empire.

The Honorable the Speaker of the Legislative Council then said, it is His Excellency the Lieutenant Governor's will and pleasure, that this Provincial Parliament be prorogued to Thursday, the thirteenth day of April next, to be then here holden; and this Provincial Parliament is prorogued accordingly.

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APPENDIX

TO THE

JOURNAL OF THE LEGISLATIVE COUNCIL:

1836-7.

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## APPENDIX A.—(See Journal, page 23.)

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

(Copy.)

*At the Court at St. James's, the 19th August, 1836.*

PRESENT :

THE KING'S MOST EXCELLENT MAJESTY.

LORD CHANCELLOR,

LORD PRESIDENT,

LORD PRIVY SEAL,

LORD STEWARD,

EARL OF ALBEMARLE,

EARL OF MINTO,

LORD JOHN RUSSELL,

VISCOUNT PALMERSTON,

LORD MELBOURNE,

LORD HOWICK,

LORD HOLLAND,

LORD GLENELG,

SIR JOHN HOBHOUSE, BART.,

MR. CHANCELLOR OF THE EXCHEQUER,

MR. POULETT THOMSON.

APPENDIX A.

Copy of a Despatch,  
&c. announcing His  
Majesty's assent to  
the several bills re-  
served in the 2nd Ses-  
sion of the 12th  
Parliament.

Whereas the Legislative Council and Assembly of His Majesty's Province of Upper Canada have passed twelve bills, which have been reserved by the Governor for the signification of His Majesty's pleasure, and transmitted, entitled as follows, viz :

No. 901, A.—An Act granting to His Majesty a sum of money for the improvement of Roads and Bridges in the several Districts of this Province.

No. 902.—An Act to loan two thousand pounds to the Welland Canal Company.

No. 903.—An Act for the relief of John McMillan.

No. 904.—An Act for the relief of John Pearse, William Dumble and William Hoar.

No. 905.—An Act to authorise the payment to the Treasurer of the District of Ottawa of the appropriation towards the support of Common Schools in the said District, for the years 1835 and 1836.

No. 906.—An Act to provide additional aid in support of Common Schools in the several Districts of this Province.

No. 907.—An Act to improve the Navigation of the inland waters of the District of Newcastle.

No. 908.—An Act granting a sum of money for improving the Hill at the River Rouge, and other purposes therein-mentioned.

No. 909.—An Act granting a sum of money to complete the payment of the War Losses.

No. 912.—An Act granting three hundred pounds towards the completion of a Light-house on Bois Blanc Island, in the Western District.

No. 914.—An Act to raise a sum of money for the purpose of completing a Steam Dredge, for deepening the several Harbours in this Country.

No. 915.—An Act to amend an Act passed in the first Session of the present Parliament, entitled, "An Act granting a sum of money for the erection of a Light-house on Gull Island, or such other place as the Commissioners may select.

And whereas the said bills have been referred to the Committee of the Lords of His Majesty's Most Honorable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations; and the Lords of the Committee have reported as their opinion to His Majesty, that the said bills should receive His Majesty's special confirmation: His Majesty was thereupon this day pleased, by and with the advice of the Privy Council, to declare his special confirmation of the said bills, and they are hereby specially confirmed, ratified and finally enacted accordingly. Whereof the Governor, Lieutenant Governor, or the Commander in Chief for the time being, of His Majesty's Province of Upper Canada, and all other persons whom it may concern, are to take notice, and govern themselves accordingly.

(Signed) C. GREVILLE.

A true Copy.

J. JOSEPH.

**APPENDIX B & C.—(See Journal, pages 23 & 26.)**

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

APPENDIX A. (Copy.)

No. 93.

DOWNING STREET,  
6th September, 1836.

SIR,

With reference to that part of my Despatch of the 25th July, (No. 73,) which refers to the reservation of the Money Bills passed by the Legislature of Upper Canada, during the last Session, I have the honor to inform you, that the circumstances which rendered that measure expedient have since undergone an entire change, I have not hesitated to advise His Majesty now to confirm those bills. His Majesty having been graciously pleased to approve that advice, I transmit to you herewith an order of His Majesty in Council for carrying it into effect.

I need hardly observe, that in tendering this advice to His Majesty, I have by no means departed from the view expressed in my Despatch of the 25th July, as to the propriety of your conduct in reserving these bills; but aware of the inconvenience which could not but result from a prolonged suspension of them, it has been with much satisfaction that I have felt myself relieved from the necessity of a further perseverance in that measure.

I have, &c.

(Signed) GLENELG.

Lieutenant Governor SIR FRANCIS HEAD, K.C.H.

A true Copy.

J. JOSEPH.

APPENDIX B.—(See Journal, Page 23.)

(Copy.)

No. 81.

DOWNING STREET,  
10th August, 1836.

SIR,

I have to acknowledge the receipt of your Despatch of the 3rd June last, (No. 43,) enclosing an Address to the King from the Legislative Council of Upper Canada, and various other Documents explanatory of the Address adopted by the House of Assembly on the 15th April, 1835, on the subject of the constitution and proceedings of the Legislative Council. I have had the honor to lay this Address at the foot of the Throne, and His Majesty has commanded me to inform you of the gratification with which he has received the sentiments of attachment to His Person and Government which are expressed by the Legislative Council; and His Majesty directs me further to state, that if it should become necessary hereafter again to refer to the Address of the Assembly of Upper Canada, of the 15th March, 1835, He will not fail at the same time to take into His consideration, the Address from the Legislative Council, which accompanies your Despatch of the 3rd June last.

I have the honor, &c.

(Signed) GLENELG.

Lieutenant Governor SIR F. B. HEAD, K.C.H., &c. &c. &c.

A true Copy.

J. JOSEPH.

APPENDIX C.—(See Journal, page 26.)

(COPY.)

*To the Honorable the Commons House of Assembly.*

The Committee on the division of Districts beg leave most respectfully to present, as their first Report, the following resolution:

“Resolved, that the Committee are deeply impressed with the necessity of a revision of the subdivisions of the Province, and to enable them to enter effectually upon such revision, and to make satisfactorily such alterations and changes as may be deemed necessary, it is expedient to recommend to the House that a Message be sent to the Honorable the Legislative Council, requesting that Honorable House to appoint a Committee to co-operate with this Committee in consideration of that subject.”

All which is humbly submitted,

(Signed) T. MCKAY,  
CHAIRMAN.

Committee Room, House of Assembly,

30th November, 1836.

Copy of a Despatch, on the subject of the Address of the Legislative Council, to the King, relative to certain complaints made by the late House of Assembly, to His Majesty.

A copy of a Report of a Select Committee of the House of Assembly, on the subject of the division of Districts.



APPENDIX D & E.—(See *Journal*, pages 27 & 45.)SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*APPENDIX D.—(See *Journal*, page 27.)

APPENDIX D.

(Copy.)

Circular.

COLONIAL OFFICE,  
27th *February*, 1836.

SIR,

I have the honor to transmit herewith, for your information, the copy of a resolution agreed to by the House of Commons, on the 23rd instant, on the subject of Orange Lodges, and other similar Societies, together with a copy of the answer which His Majesty was graciously pleased to return to the Address presented in pursuance of the above resolution.

Copy of a Despatch,  
&c., on the subject of  
Orange Lodges.

I have, &amp;c.

(Signed) GLENELG.

Lieutenant Governor SIR FRANCIS HEAD, K.C.H., &amp;c. &amp;c. &amp;c.

A true Copy.

J. JOSEPH.

*Mercurii, 24<sup>dic</sup> Februarii, 1836.*

*Resolved*, that an humble Address be presented to His Majesty, praying that His Majesty will be graciously pleased to take such measures, as to His Majesty may seem advisable, for the effectual discouragement of Orange Lodges, and generally of all political Societies excluding persons of a different religious faith, using secret signs and symbols, and acting by means of associated branches.

*Jovis, 25<sup>dic</sup> Februarii, 1836.*

Answer to Address, 23rd February, reported as follows:

A true Copy.

J. JOSEPH.

WILLIAM R.

I willingly assent to the prayer of my faithful Commons, that I will be pleased to take such measures as may seem to me advisable, for the effectual discouragement of Orange Lodges, and generally of all political Societies excluding persons of a different religious faith, using secret signs and symbols, and acting by means of associated branches.

It is my firm intention to discourage all such Societies in my Dominions, and I rely with confidence on the fidelity of my loyal Subjects to support me in this determination.

W. R.

A true Copy.

J. J.

APPENDIX E.—(See *Journal*, page 45.)

(Copy.)

Circular.

DOWNING STREET,  
31st *August*, 1836.

APPENDIX E.

SIR,

The particular attention of His Majesty's Government has been called to measures adopted by various Colonial Legislatures, for revising and altering the rates at which different coins should pass current and be a legal tender, with reference to local monies of account.

Copy of a Circular  
Despatch, on the sub-  
ject of the Currency  
of this Province.

These regulations have obviously considerable influence upon the transactions of those Departments which are concerned in the collection of Duties imposed by Acts of Parliament, more especially upon transactions of the Military Chest, and as material inconvenience has already been experienced in these respects, it is desirable to adopt such measures as may prevent the recurrence of such inconvenience, and thereby avoid the necessity of revoking such enactments as may be deemed objectionable after they shall have been promulgated and carried into effect.

With this view, I have to desire that you will not permit any Act or Ordinance, or Proclamation or Regulation, to come into operation in the Colony under your Government, relating to the local Currency and Circulating Medium, or to the rates at which coins should pass current, or be a legal tender, or to the circulation of Promissory Notes, or other paper,

APPENDIX F.—(*See Journal, page 78.*)

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either by the local Government, or by any Corporate Bodies, or individuals, without having first received His Majesty's sanction conveyed to you by the Secretary of State.

I have, &c.

(Signed) GLENELG.

Lieutenant Governor SIR F. B. HEAD, K. C. H., &c. &c. &c.

A true Copy.

J. JOSEPH.

APPENDIX F.

APPENDIX F.—(*See Journal, Page 78.*)

Report of the Select  
Committee, upon  
King's College Char-  
ter amendment bill.

THE SELECT COMMITTEE to whom was referred the bill sent up from the House of Assembly entitled, "An Act to amend the Charter of the University of King's College," have agreed to the following report, which they hope will bring the subject matter of the proposed enactment, in all its bearings, before your Honorable House.

Your Committee, on entering on the subject of their enquiry, were much gratified to find, that the Legislature and Provincial authorities had, during the last forty years, expressed an earnest anxiety for the establishment of an University. It was part of the prayer of both branches of the Legislature, in their Address to the King, in 1797, and strongly recommended by the Executive Government, the Judges, and Law Officers of the Crown, in 1798. In 1820, it was honorably noticed by the Legislature, and had the privilege conferred upon it in prospect, of sending a Member to represent it in the House of Assembly, when established.

In 1825, the Lieutenant Governor in Council, fully convinced that the establishment of such a Seminary could be no longer postponed, without the greatest detriment to the Province, applied to the King for a Royal Charter for its erection, and a sufficient endowment for its support. Accordingly, His late Majesty King George the Fourth, was graciously pleased to issue His Letters Patent, bearing date at Westminster, the fifteenth day of March, in the eighth year of His reign, establishing in this Province a College, with the style and privileges of an University, to be called "King's College," to which was annexed a munificent endowment.

In his Speech from the Throne, on the 15th January, 1828, Sir Peregrine Maitland, informed the Legislature of this happy event, and stated, that the establishment of an University in the Province, was an object which he regarded as among those most to be desired for the welfare of the Colony. In acknowledging this communication, the Legislative Council expressed their grateful feelings for so valuable a boon; but the House of Assembly returned thanks in very measured language—"if the principles upon which it has been founded shall, upon enquiry, prove to be conducive to the advancement of true learning and piety, and friendly to the Civil and Religious liberty of the people."

On the 15th February, the House of Assembly passed an Address to the Lieutenant Governor, Sir Peregrine Maitland, requesting a copy of the Charter establishing the University; information respecting the endowment; and any other matters connected with the Institution. A copy of the Charter, and an account of the endowment, were transmitted, as requested, on the 29th February; and on the 20th March, an Address to His Majesty was agreed upon by the House of Assembly, in which, among other matters, objections were vehemently urged against the Charter of the University, as being of a nature far too exclusive.

This Address attracted the notice of the Select Committee of the House of Commons, and in their report on the Civil Government of Canada, on the 22nd July, 1828, they advise a change in the constitution of the College Council, so that no religious test may be required, and that a Theological Professor of the Church of Scotland should be established, in addition to that for the Church of England, whose Lectures, the Candidates for Holy Orders in the respective Churches, should be required to attend.

Sir John Colborne, in his Speech from the Throne, on the 8th January, 1829, slightly notices the University, in connection with Minor College. But the House of Assembly, on the 20th March, passed various resolutions, for the purpose of modifying the Charter, and presented the same, with an Address, to the Lieutenant Governor, to which His Excellency promised his ready attention.

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No proceedings appear to have been had regarding the University during the Session of 1831; but in that of 1831 and 32, an Address to the King was adopted, bearing date the 28th of December, praying that the Charter of King's College might be cancelled, on account of its exclusiveness, and another granted, more open in its provisions. To this Address His Excellency replied on the 4th of January, 1832—"that he has reason to believe that either the exclusive provisions considered exceptionable in the Charter of King's College, have been cancelled, or that such arrangements have been decided upon by His Majesty's Government, as will render further applications on this subject unnecessary, but that a Charter solemnly given cannot be revoked, or its surrender obtained, without much delay."

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It was generally expected, from the tenor of this answer, that His Majesty's Government had determined to modify the Charter, according to the wishes of the House of Assembly; but nothing of the kind appears to have been attempted.

During the Session of 1832 and 3, several reports were presented to the House of Assembly, by their Select Committee on the subject of Education, in one of which, bearing date the 21st November, 1832, a bill is proposed similar to that now under consideration, and embracing almost all the practical alterations recommended in the resolutions of the House of Assembly in 1829. This bill was not proceeded in, and the Session passed over without maturing any measure respecting the University. On the 19th November, 1833, Sir John Colborne, in his opening Speech from the Throne, invites the Legislature to alter the Charter of King's College, and informs them, that His Majesty will give effect to any measure proposed by the two branches, regarding the future government of the University. This invitation was thankfully acknowledged, but yet nothing was done to modify the Charter.

In the Session of 1835, a bill was sent up to your Honorable House by the House of Assembly, entitled, "An Act to amend the Charter of King's College," which, after having been twice read, committed, and maturely considered, was unanimously rejected.

The same bill was a second time sent up to your Honorable House, from the other branch of the Legislature, during the last Session. After much consideration it was referred to a Select Committee, who presented an able report on its provisions, and a luminous view of the extraordinary tendency of the proposed amendments, from which it appears that they were far better calculated to produce a nursery for political excitement, than a tranquil Seminary of Learning.

In fact, this bill totally subverted the Royal Charter, and instead of establishing an University carefully separated from the bustle and business of the world, and more especially from the strife and agitation which so frequently attend discussions on the public affairs of the Province, would have rendered King's College an arena of political warfare. That this language is more than borne out, will appear from a very brief notice of some of the details of the bill.

Although His Majesty has been most graciously pleased to become the Founder and Patron of the University of King's College—has granted a munificent endowment, and conferred upon it the most valuable privileges, some of which extend their benefits through the whole of the British Empire—yet the bill went to deprive the King of all power and authority in his own University, and to reduce it to a Provincial Institution, which could impart neither advantage nor influence beyond the Colony: and what is still more pernicious, and unprecedented, placed it under the sole direction and authority of the Legislature, by which it became liable to be wholly changed or subverted at the expiration of every four years.

By the sixth clause, it was provided—"that there shall be within the said College, in the place and stead of the Council in the said Charter mentioned, a Council, to be called and known by the name of 'The Council of King's College,' which Council shall consist of twelve persons, one-half of the number of which persons shall be nominated by the Legislative Council, and the other half by the House of Assembly, which persons so nominated shall be certified by the respective Houses, to the Governor, Lieutenant Governor, or Person Administering the Government for the time being, and shall hold their offices for four years, from the day of such nomination, and thence until the then next Session of the Provincial Parliament, and no longer."

Now it is respectfully submitted, that such a mode of nomination is not only unconstitutional, but altogether subversive of the principles upon which Seminaries for the instruction of

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youth ought to rest. By this clause everything is changeable, and nothing permanent. The Council being removable every four years, one-half by the Commons House of Assembly, and one-half by the Legislative Council, it would partake of all the changes and agitations of the Legislature, and these, through the Council, would be infused into the University.

There is no precedent in any Country where the Legislature virtually directs the internal government of Colleges, or interferes in their economy—they are left to the guidance of their own faculties, acting under the charters and privileges conferred upon them, subject to correction, should they err, from occasional visitations appointed by their founders, or the force of public opinion. But by the enactments proposed in this bill, such an intimate connection is created between the University of King's College and the Legislature, as to form nearly a complete incorporation.

By clause eighth it was provided, that no meeting of the Council shall be taken or held to be a lawful meeting thereof, nor any question be taken, except to adjourn, unless nine Members at the least be present; and that all questions and resolutions proposed for the decision of such College Council shall be determined by the majority of the Members of the Council present, including the vote of the Presiding Member; and that in the event of an equal division of such votes, the Member presiding at any such meeting, shall give an additional or casting vote.

Nothing can be more evident than that the enactment in this clause would greatly impede the business of the University; for it can scarcely be expected that nine members out of twelve could be readily assembled at all times when required, or that the wants and contingencies of an extensive Seminary, which are continually multiplying, can be adequately provided for by a Council which is to sit, as ordained in the twentieth clause, only two weeks in the year.

By clause twenty-sixth, Christianity appears proscribed with a virulence not unworthy of a Dioclesian. There is only one attempt on record in a Christian country, and that a very recent one, of establishing an University on the principle that every thing connected with the Christian faith shall be excluded.

This consequence is said to result from the circumstance that the London University was established by subscription. The Directors are indeed forced to confess that religious instruction, or the formation of Christian principles, is the great and primary object of education, and that it is an object far too important to compromise; but they shelter themselves under the pretence that the London University is intended for the education of youth in the Metropolis, and, as it is presumed, living with their parents, who are expected to attend to this most important part of their education.

Without admitting the force of this reason, it is sufficient to remark, that it totally fails in its application to King's College: because it is obvious that instruction is there to be dispensed to youth collected from all parts of a very extensive Country, and of whom the great majority will be wholly removed from the authority and superintendence of their parents; and it may be confidently affirmed, that the inhabitants of this Province are not prepared to approve of an institution for the education of their children, from which religion is altogether excluded.

As if the framers of this bill had intended to lower the character of the College Council to the utmost, it is provided in the twenty-seventh clause, that the Members shall be allowed wages for every day of their attendance.

Your Committee might refer to several other provisions equally objectionable, but these are more than sufficient to prove that such a bill could never have been entertained, except by those who desired to hold up the first literary institution of the Country, to obloquy and scorn.

Your Committee deem it expedient, before adverting to the alterations contemplated in the bill, to remark upon two points, not a little embarrassing, which met them as it were *in limine*.

1st.—Your Committee did not at first feel satisfied that the Colonial Legislature had the power of altering a Royal Charter, not only on account of the great delicacy of meddling with an acknowledged prerogative of the Crown, which had not in the present instance overstepped its limits, but because they are acquainted with no precedent in other Colonies to sanction such a proceeding. They were, therefore, inclined to think, that the more decorous mode of seeking an amendment of the Charter would be by the joint Address of the two Houses of the

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Legislature to the King, embodying the alterations desired, and not to proceed by enactment. So great delay had, however, taken place, and the course by Address giving no assurance of speedy relief, your Committee were induced to reconsider their first impression, and after a careful examination of the various steps taken by His Majesty's Government, and that of the Province, have arrived at the conclusion that it is more expedient, in the present instance, to proceed by bill.

To this course they were encouraged by the invitation given to the Legislature by Sir John Colborne, in his Speech from the Throne in 1833, to alter the Charter of King's College, as it seemed to concede the necessary authority, and by what Lord Goderich says in his Despatch, dated eighth November, 1832, that so far from any anxiety having been felt by the King's Government to maintain that Charter against the wishes of the great majority of the people, every possible measure has been taken to refer to their Representatives the decision of the question, in what form and on what principles the College should be founded.

2nd.—On another point, both delicate and important, your Committee experienced some hesitation.

The Charter of King's College establishes a Corporation. This Corporation has existed for several years, and in many respects exercised the powers conferred upon it by the King.—It therefore appeared reasonable to communicate with this body, before adopting any measure in which its interests were involved. From this difficulty, however, your Committee were relieved by the presence of the President of King's College as one of their Members, and yet further from the information which he communicated respecting the proceeding of the College Council. It appears that that body, anxious that the great benefits which the University is calculated to yield to the youth of the Province might be no longer delayed, had agreed, so far back as the twenty-first March, 1832, to certain alterations in the Charter, which embraced every thing really useful and appropriate contained in the Resolutions of the Commons House of Assembly, already alluded to, and a printed copy of the Charter, so amended, was presented to your Committee for inspection.

On comparing the provisions of the Charter, thus amended by the College Council, with those contemplated by the bill before your Honorable House, your Committee was pleased to find that the difference was by no means so great as might have been expected. This may be clearly seen by arranging them in contrast, and with the original Charter.

## CHARTER OF THE UNIVERSITY OF KING'S COLLEGE.

<i>Original Charter.</i>	<i>Charter as amended by the College Council.</i>	<i>Charter as amended by the Bill under consideration.</i>
1.—The Bishop of Quebec, Visitor.	1.—The Court of King's Bench substituted as Visitor, for the Bishop.	1.—The same—the Court of King's Bench, &c. &c. &c.
2.—The President—a Clergyman, and Archdeacon of York.	2.—The President—a Clergyman of the Church of England, but not necessary to be the Archdeacon of York.	2.—The President shall not be required to be the Incumbent of any Ecclesiastical Office.
3.—The Members of the Council to be Members of the Church of England, and to sign the Thirty-nine Articles.	3.—Relieves the Council from signing the Thirty-nine Articles, but requires the Members to belong to the Church of England.	3.—Relieves the Council from signing the Thirty-nine Articles, and need not be Members of the Church of England.
4.—Ordains no tests or qualifications, except for Divinity Degrees.	4.—Removes tests even from Divinity Degrees, but allows regulation, without which they could not be conferred.	4.—Removes all tests and qualifications, even from Divinity Degrees. Under this bill no Degrees in Divinity can be conferred, if literally interpreted; it must have by-laws and regulations.

From this contrast it appears manifest that the College Council are disposed, in a great degree, to meet the requirements of the Legislature, and that their only anxiety seems to be to give a more decided religious character to the Institution; and in this your Committee would most willingly concur, were there any reasonable prospect of its full accomplishment.

Your Committee need scarcely remind your Honorable House, that under its present Charter the University of King's College is open to all denominations of Christians, and that the Professors, excepting such as are appointed Members of the College Council, may be of any Christian denomination, that it excludes no one from what may be considered the essential

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benefits of the University, and is placed on a more liberal footing than any similar Institution either in Great Britain or America. So much obloquy has been thrown upon King's College by those who never took the trouble to read the provisions of its Charter, or who wilfully disseminated deceptive accounts of its narrowness and bigotry, that the public mind has been totally poisoned respecting its requirements; and even now men of education and respectable attainments are found adopting as truths, calumnies against it, and without enquiry describing it in their speeches and public proceedings, in terms totally foreign to its real character. This being the case, your Committee consider it part of their duty to show that no College exists in any part of the world so little exclusive as King's College, were its Charter to continue without alteration.

The uniform practice of Christian Nations has been to give a religious character to their literary Institutions; nor is there a College or University either in Europe or America without such a character. Of the English Universities it is unnecessary to speak, as they are internally connected, and may indeed be considered part of the National Church; the system of exclusion is therefore carried much further than is required or wished for in King's College. In Scotland it is ordained by the laws of the Church, as well as by Act of Parliament, that Presbyteries shall take special notice of what is taught in Colleges and Universities, and that nothing be taught therein contrary to or inconsistent with the confession of Faith of the Church, or to the worship, discipline, or government of the same. The Presbyteries are also required to observe the morals and conversation both of Masters and Scholars. In fine, the superintending power of the Church over all Colleges, Universities and Schools, and of all Professors, Teachers and School-masters, employed in the same, is paramount and without appeal. It is further ordained, that nothing shall be taught but what is in accordance with the Church, and all these powers are established by the most solemn Acts of the Legislature, and even by the treaty of Union. "In fact," says an eloquent defender of the Kirk, "our religious establishment and true learning must stand or fall together. Ignorance, which is the mother of superstition, has been one of the principal sources of all the corruptions of Christianity, and therefore the Church hath ever exercised complete control over all Schools and Universities, identifying them with herself."

And has this complete exclusion of all but her own principles from the Parochial School to the Universities, impeded the moral and literary progress of the Scottish population? Far from it. To what but to education is Scotland indebted for her moral and religious improvement? The whole system of instruction in that country has religion for its basis, and is placed under the immediate and active superintendence of the Parochial Clergy, and to this wise arrangement must be attributed the proved superiority of her people over that of most other Countries.

It thus appears that both in England and Scotland, the Colleges and Universities are founded upon exclusive religious principles, and that they are not so open, or in modern phrase, so liberal as King's College, against which so great a clamour has been raised, and yet they have been eminently useful, and have nobly remunerated the public for the peculiar privileges which they enjoy. But this system of exclusion, if it can be so called, has never prevailed to a greater degree in Great Britain, than in the United States of America. Unhappily for the cause of religious truth, Harvard University, the best endowed literary Institution in that Country, is wholly Unitarian. It was founded in 1638, by Mr. John Harvard, Minister of Charleston. It is governed by a Board composed of the Governor, Lieutenant Governor, the Council, the Senate, the President, and the Congregational Ministers of Boston, Charleston, Cambridge, Watertown, Roxburg, and Dorchester. The President, five Fellows and Treasurer, constitute the Corporation, and by them the immediate government is exercised. Yet to this College the children of all denominations are sent. It is in possession of funds to the amount of more than half a million of crowns, principally the accumulated donations of Individuals, and enjoys moreover a large annual stipend from the Treasury of the State. It has a Library of thirty thousand volumes, and extensive apparatus for illustrating Science, and twenty Professors, aided by a number of Tutors, to carry on the business of instruction.

With means so ample, and at unity in its religious belief, and without any pledge against its propagation, it must operate a material change in the religious views of the community, and particularly so as its Professors occupy the first rank among the learned in America.

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Such is the present state, resources and influence, of Harvard University; and has it excited any uneasiness or heart-burning in the community? Has it been made the beacon of faction? Has it been slandered and calumniated by other denominations? Have the Episcopalians, the Baptists, Methodists, and Presbyterians, cried out against it? Or has the House of Representatives been petitioned to change its constitution, and make its government open to all parties? Or have the Professors been called upon not to inculcate their own opinions? Far from it. The Legislature would never have entertained such a petition; they are too well aware of the sacred right of property and of conscience, to attempt to expunge them at the request of malice and envy; on the contrary, they are proud of their splendid University, and have actually cherished it, and munificently supplied its necessities.

The second place among American Universities, is occupied by Yale College, which is exclusively directed by Congregationalists—yet we have never heard that the Legislature of Connecticut has taken offence at this exclusion, or in any degree interfered, except to confer honours and emoluments on the institution. And so far have Episcopalians been from railing against it, that to their munificence it is greatly indebted for its prosperity. Dr. Barkley, the famous Bishop of Cloyne, conferred upon it a magnificent donation of books, and a landed estate in Rhode Island; and Mr. Dummer, another Episcopalian, Agent for the State, then a Colony, was likewise a liberal contributor to its resources.

So far have the Legislatures of the United States been from interfering with these institutions, or meddling with their principles, that they have only noticed them to grant them favours.

In Nova Scotia, the College which is established at Windsor is much more exclusive than King's College, "for it was established," says the learned and amiable Bishop of the Diocese, in his eloquent address to the British public, in 1825, "to preserve the doctrines, liturgy and discipline of the Church of England in their unabated purity. It seemed necessary that the means of a right religious education should be provided for those who were to teach, and those who were to be taught the holy principles of our Church, that so they might live and die in the faith and hope of their forefathers." For this purpose the University of Windsor was established, and called King's College, as a testimony of gratitude to the kindness and piety of His late Majesty King George the Third, under whose sanction, and by whose Charter, it was principally formed.

As the College Charter recently received with much gratitude in New Brunswick, and now in full operation, is an exact transcript of that of King's College, your Committee need not dwell on its various provisions.

Nearer home, we find the same exclusive principles prevailing in the different Colleges in Lower Canada.

After the conquest of Canada, His late Majesty not only conceded to His Roman Catholic Subjects the free exercises of their Religion, and an ample provision for the temporal support of its Ministers, but likewise the farther advantage, which in every country has appeared necessary for the maintenance of religion, namely, the endowment of Colleges and Seminaries: in which, while the various branches of human learning are taught, the rising generations are at the same time instructed in the doctrines of Christianity, and familiarized to that mode of worship which the Government has consented to recognize and protect.

The provision which the French Government had made for this latter object was respected, and has been suffered to continue; and though it has unquestionably tended to preserve and perpetuate a form of religion to which but a small proportion of the British population adhere, it has not been looked upon by them with jealousy or dislike, and now maintains four Colleges, two of which may be styled Universities. Such are the precedents to support the Charter of King's College, in its present form, from the attacks of the ignorant, and the malice of the unprincipled. It is a fact, that it is more open than any other College Charter, in the British Dominions, and more liberal than any similar Institution of the United States. It ought also to be remembered, that there has been recently established by Royal Charter, a College in this Province, under the superintendence and authority of the British Wesleyan Methodists; and is it to be supposed that it will be left by that respectable body without a decided religious character, or that they will admit any other denomination to interfere in its management and regulations? On the whole, your Committee feel justified in submitting, that the Charter of King's College

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cannot, with truth, be called exclusive and restrictive, by comparison with any other College, of which they have any knowledge, either in Europe or America.

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ter amendment bill.

Your Committee having thus stated to your Honorable House, the considerations and views which appeared to them necessary to bring the subject of King's College, its history and treatment, in all their bearings, before you, proceeded to compare the alterations proposed in the present bill with the original Charter, and are happy to find that they do not interfere in the slightest degree with the character of the University as a Royal Institution, or with the power and dignity which it possesses, as emanating from the King, and which can be obtained in no other way, and for the loss of which, no benefits in the power of the Legislature of this Province to bestow, could in any manner compensate.

The alterations are confined to re-modelling the College Council, or governing power, and removing tests and qualifications of every description, except a declaration of belief in the authenticity and Divine inspiration of the Old and New Testaments, and in the doctrine of the Trinity; but His Majesty still continues Founder and Patron of the University; its munificent endowment remains untouched, as well as those valuable privileges which will for ever distinguish King's College from a Provincial Institution, because the benefits they confer extend through the British Empire and all its Dependencies. The bill enacts, "that for and notwithstanding in the said Charter, the Judges of His Majesty's Court of King's Bench shall, for and on behalf of the King, be Visitors of the said College, in the place and stead of the Lord Bishop of the Diocese of Quebec for the time being."

Although your Committee see no cogent cause for this alteration, yet as the Bishop is frequently absent from this portion of the Diocese, they feel disposed to recommend it to the adoption of your Honorable House.

The bill farther ordains, "that the President of the said University, on any future vacancy shall be appointed by His Majesty, His Heirs and Successors, without requiring that he should be the incumbent of any Ecclesiastical office."

Your Committee are inclined to recommend this clause, but on the understanding that the President should be a Clergyman in Holy Orders of the Church of England.

3.—The bill proceeds to provide—"that the Members of the College Council, including "the Chancellor and President, shall be twelve in number, of whom the Speakers of the two "Houses of the Legislature of the Province, and His Majesty's Attorney and Solicitor Generals, "for the time being, shall be four, and the remainder shall consist of the five senior Professors "of Arts and Faculties of the said College, and of the Principal of the Minor or Upper Canada "College; and in case there shall not at any time be five Professors, as aforesaid, in the said "College, and until Professors shall be appointed therein, the Council shall be filled with "Members to be appointed as in the said Charter is provided, except that it shall not be neces- "sary that any Member of the College Council to be so appointed, or that any Member of the "said College Council, or any Professor to be so appointed, shall be a Member of the Church "of England, or to subscribe to any Articles of Religion, other than a declaration that they believe "in the authenticity and Divine inspiration of the Old and New Testament, and in the doctrine "of the Trinity."

On this amendment your Committee respectfully submit that, if it be thought expedient that the Speakers of the two Houses of the Legislature, and Crown Officers, should be Members ex-officio of the College Council, the Council will be so far opened, as concerns them, since they may not belong to the Church of England; and if it is to be also provided that the remaining five Members of the Council, even though Professors, shall not of necessity belong to the Church of the Founder, the governing power of the University is thus deprived of a distinct religious character. To this extent your Committee cannot recommend the concurrence of your Honorable House: it being their conviction that a College for educating youth in the principles of the Christian religion, as well as in literature and the sciences, is less likely to be useful, and to acquire a lasting and deserved popularity, if its religious character is left to the discretion of individuals, and to the chance of events, and suffered to remain the subject of unchristian intrigues and dissensions, than if it is laid broadly and firmly in its foundation by an authority that cannot by any reason be questioned. Your Committee would recommend that no Professor should be eligible to the College Council, who was not a member of the Church of England, or of the Church of Scotland.



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4.—The bill provides further—“that no religious test or qualification be required or appointed for any person admitted or matriculated as scholars within the said College, or of persons admitted to any degree or faculty therein.”

On this provision your Committee respectfully remark, that it is altogether redundant, for the Charter, as it now stands, requires no religious tests or qualifications from any one, except in Degrees of Divinity, which require of necessity some regulating standard.

Your Committee, in order to reconcile all interests, felt inclined to propose that a Theological Professor of the Church of Scotland should be placed on the foundation, as suggested by the Select Committee of the House of Commons in 1828, but on farther examination it was found, that the College Council has full power to do this without special enactment. Your Committee therefore deemed it sufficient to recommend it to be done, so soon after the College is put in operation as may be convenient.

The bill proceeds to make provision for annexing Upper Canada College as an appendage to the University; and this your Committee consider both wise and necessary, submitting at the same time, the propriety of providing that the Principal of Minor College be appointed by the Chancellor, and that there shall hereafter be no Vice-Principal.

Your Committee have considered it their duty to suggest these several amendments, but desire not, in this report, to express any opinion as to the wisdom of persisting in them, should such a course risk the fate of the bill. Other alterations of a beneficial tendency might have been offered, did they not feel inclined to believe that the Charter, in its original form, had it been allowed to go into operation, would have been far more efficient for all the purposes intended, than the present measure. So much evil and inconvenience has, however, taken place, from the differences of opinion concerning the Charter, that your Committee deprecate further delay, and feel assured that the benefits which the University will soon diffuse over the Province will make it easy to correct any difficulties, or supply any deficiencies that may be discovered in the working of the present measure, imperfect as it certainly is, if passed into a law.

All which is respectfully submitted.

(Signed) GEORGE CROOKSHANK,  
CHAIRMAN.

*Legislative Council, Committee Room,*  
Eighteenth day of January, 1837.

## APPENDIX G.—(See Journal, page 120.)

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THE SELECT COMMITTEE of the Legislative Council, to whom was referred the bill sent up from the Assembly, entitled, “An Act to provide for the permanent completion of the Welland Canal, and for other purposes therein-mentioned,” beg leave to report:

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completion bill.

That keeping constantly in view, that the object of the bill referred to them, being more particularly for the purpose of making permanent a work in which the Province has a deep interest, as well from the large outlay already incurred, as the manifold advantages it must necessarily secure to the public, if constructed in such a manner as to put past all doubt the uninterrupted use of it for the purposes of navigation, they have carefully considered the different provisions of the bill, and how far they secure so important a result, and also, whether any new ones were necessary to be added to the bill for that purpose.

In doing so, your Committee have found it necessary to refer to many written and printed documents, as well as to several individuals acquainted with the work, or who may have scientifically examined it, in order to judge of the propriety of recommending so large an additional outlay as that proposed by the bill submitted to them; and they beg leave to append to this their report, such documents and information as they deem important, more particularly as regards any alteration in the present route of the Canal, a matter of the deepest concern, and on which, in a great measure, depends the propriety of the contemplated expenditure, as well as the future utility of the Canal, and likelihood to produce a revenue sufficient to pay, in the meantime, the interest upon the money expended, and hereafter, to reimburse the principal.

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Whether from mistaken views, or the prevalence of individual influence and interest, the Welland Canal has been located in a situation not the most favorable for the public good, of which strong doubts exist in the minds of many persons of respectability, as well as by statements contained in petitions presented during the present Session to your Honorable House, is in the opinion of your Committee, a matter that ought at this time to be thoroughly investigated, before any money whatever is expended in permanently constructing locks of solid masonry, or in improving the Harbours at either of its terminations, or whether any alterations should be made on any part of its present route.

The provisions of the bill submitted to your Committee are, in our opinion, in some important respects defective, as they give to a local Board of Directors the appointment of the Engineers, who are to decide this most essential matter, and upon which mainly depends the wisdom of the Legislature in further investing the public monies of the Province in it.

The stock owned by individuals, is about £117,000, that owned by the Province, about £500,000, when the present bill becomes a law; yet under its provisions, the private Stockholders are to have the election of two Directors, and the Executive Government of the Province the appointment of *three*. Thus although the Province then will be Stockholders to five times the amount of the private ones, yet it will have the control of only  $\frac{2}{7}$ <sup>th</sup> of the direction, instead of  $\frac{4}{5}$ <sup>th</sup>; and it ought to be remarked, that Lower Canada will look to this Legislature for protection, in proportion to the advance made by that Province, and so will His Majesty's Government, for the loan made in England.

The proposed ratio of Directors as provided by the bill, it will be seen, does not give that influence in directing the concerns of the Company to the Province that it ought; and although it is provided that the votes of three Directors shall be necessary to decide any question, yet it is no security to the public, that the interests of the Province will prevail.

For many years past the number of Directors has been seven, four of whom were elected by the Stockholders, whose stock then amounted to nearly what it now is, but that of the Province was only about £100,000, as the further sum advanced by the Province of £100,000 was a loan and not converted into stock as proposed by the present bill; the proportion of Directors being then more just than is now proposed. Your Committee foresee no inconvenience that can possibly arise from continuing seven as the number of Directors, giving to the private Stockholders the election of two, and to the Executive Government the appointment of five, by which arrangements the private Stockholders will still have  $\frac{2}{7}$ <sup>th</sup> more than their share entitles them to.

They would further suggest, that no matter should be decided by the consent of less than four Directors thereto, and that all the Directors should be allowed a reasonable compensation for their services, when actually engaged in the business of the Company.

Should the Legislature so alter the bill as to increase the number of Directors to what they have formerly been, as above suggested, there would be less risk in leaving to them the selection of Engineers. Nevertheless, your Committee are of opinion, that much inconvenience might result from such a provision, and that the selection would be much better, and more for the interest of the work, were the Executive Government to have the appointment, not confining it to "two," but to one or more, thereby leaving a discretion in the Executive Government, which your Committee think might be beneficial, and the exercise of which, they feel no suspicion, would be improperly used; more especially as your Committee do not, nor cannot, recommend the appointment of a Superintendent, whose powers might interfere and clash with those of the resident Engineer, whose continued services cannot be dispensed with, and who could discharge the duty of Superintendent more efficiently than if placed in the hands of another.

Your Committee is led to believe that heretofore the Superintendent has received a salary of £400 per annum, an allowance which appears most extravagant, and which may be in a great measure saved, should the above suggestion be adopted by the Legislature, in which case the eleventh clause of the bill should be struck out.

In the first clause of the bill, your Committee observe an error in quoting the provisions of a former Act (proposed by it to be repealed) at 2000 instead of 3000 shares; and in the said former Act, although £40,000 is mentioned as the capital stock of the Company, yet at £12 10s. the amount of 3000 shares is only £37,500.

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Your Committee would in the strongest manner recommend expunging that part of the sixth clause of the bill, which authorises the expenditure of £55,000 during the present season as therein stated, "on that part only of its present route from which the Engineers in their report, so to be made as aforesaid, shall not recommend any deviation, or in procuring materials for such improvement," which indeed involves a contradiction, as it is provided by the bill that the report of the Engineers is to be laid before the Legislature at its *next Session*, and not till then; and no discretionary power is given to the Executive Government to decide on any part of their report, but it is expressly reserved to the Legislature; were it otherwise, this large outlay might be made on a route afterwards to be altered, and the money lost; and your Committee more particularly call the attention of your Honorable House to this provision of the bill, as from the investigation they have made, and the information they have received and duly considered, they are impressed with a strong belief that not only one, but both the debouches of the Canal might be fixed elsewhere than they are at present, and some parts of the present route altered to great advantage, especially with the view of bringing in the waters of Lake Erie as the feeder as far as the River Welland, and thence to Lake Ontario, excavating the "Deep Cut" to the depth originally intended, and thus securing an abundant supply of water at all times to come, however great the intercourse may be upon it.

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We are also led to believe, that a summit level may be found at Mr. Hatt's, of only half the depth that it is at present, and not one-half the length. Probably, however, should this even be found to be the case, it may be most expedient to excavate the Deep Cut, instead of making an entirely new one in the line at this place, as it is understood that only about a mile remains to be excavated of the Deep Cut; and your Committee are led to believe, that it can be done at an expense of little more than £6,000, by introducing a rush of water from the present feeder, in that season of the year when the Canal is not wanted for the passage of vessels; and if the termination of the Canal is altered to the Niagara River, the earth thus displaced, will have sufficient room for deposit in the valley of the Twelve Mile Creek.

Your Committee beg to impress strongly upon your consideration, this method of supplying the Canal with water from the upper Lakes; for however the appearances may at present be in favour of the Grand River, to afford the necessary supply, yet the hope they entertain, of a great increase of business on the Canal, when completed in a permanent manner, induces them to believe that it will not be found to be the case, particularly as in all Countries recently brought into cultivation, it has been found that the streams of water, and even springs, experience a diminution; and by doing so, the re-construction of several locks will be unnecessary—the summit level reduced—the aqueduct on the Welland rendered unnecessary, and thereby restoring the navigation of that River, now obstructed by it for a distance of thirty miles, and the Canal freed from many disadvantages which at present affect its usefulness.

Your Committee would also beg leave to call the attention of your Honorable House to the present dam thrown across the Grand River at Dunnville, the erection of which causes the water to overflow a great extent of land, and impedes the natural navigation for vessels many miles up.

By deepening the feeder and using the channel of Broad Creek, a distance of 8 or 9 miles your Committee are induced to believe would be saved in the route to Lake Erie at the mouth of Grand River, if found to be best; this matter, as well as the mode of continuing uninterrupted the privileges of the Grand River Navigation Company, no doubt will attract the attention of the Engineers to be employed under the provisions of the bill; and should they find it most advantageous to adopt either of these suggestions, namely, of feeding the Canal with water from Lake Erie by either the route of Port Colborne, or the mouth of the Grand River, the summit level will be reduced upwards of sixteen feet, in which case the mill privileges at Allanburgh will be destroyed, as well as at Port Colborne.

The twelfth clause of the bill provides for the re-purchase of the surplus water of the Canal and hydraulic privileges, limiting the sum to be paid therefor, so that it shall not exceed £20,000. Your Committee are of opinion, that this clause of the bill might be with advantage retained, as it will secure to the Company the entire control of the Canal, and of the property at Allanburgh, containing about 139 acres of land, and sundry mills and machinery; also the mills and machinery, and several store-houses and other buildings, and the residue of the town

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plot, not already disposed of, containing about 140 acres of land at Port Colborne, as well as all the property and privileges agreed by the Welland Canal Company to be purchased in June 1834 from the Hydraulic Company. This purchase was made for the sum of £17,500, and recommended by the three Provincial Directors; the addition of £2,500 includes these reservations which are now proposed to be given up.

By a return appended to the second report of the House of Assembly of this Province during the present Session, to which your Committee beg leave to refer, it appears that the rental of water power and hydraulic privileges already leased, amounts to £1,187 10s. per annum, a sum nearly equal to the interest of the purchase money above recommended to be paid; and although the mills at Allanburgh will cease to be worked by water, (should the Deep Cut be excavated, and thereby the summit level lowered), yet they may be disposed of, as well as the land, for a considerable sum of money. Those at Port Colborne are worked by steam as well as water.

Besides the above sum of £20,000, there will be required, during the present season, the further sum of £25,000, to pay off the debts of the Company, and place the locks and other works of the Canal in such a state of repair as will continue the navigation till others of a more permanent nature are constructed.

Your Committee having only the present bill referred to them, do not consider it as any part of their duty to look back to what has heretofore been done by the Directors; they will therefore merely bring before the view of your Honorable House the circumstance, that at various times debts appear to have been contracted by them without authority of the Legislature, and even Bank Notes issued, payable a year from their date; a practice they consider extremely improper, and one which ought to be prohibited by law. They have, however, foreborne to submit any draft of a clause to meet that object, contenting themselves with drawing your attention to it.

The seventeenth clause provides, that after paying out of the tolls the annual interest upon the sum of £245,000, therein authorised to be raised, the remainder shall be divided among the *private* Shareholders, until it shall equal six per cent on the amount of their investments. Thus giving the private Shareholders an advantage on more than £200,000 over the Stock of this Province, as well as that of Lower Canada, in which your Committee can see neither reason nor justice. We would further recommend to your Honorable House, that none of the monies proposed to be raised by the present bill be paid until the Act takes effect and the new Directors appointed.

By the printed report of Francis Hall, Esquire, Civil Engineer, dated 18th September, 1835, hereto appended, it appears that a distance of 3 miles 1121 yards would be saved by a route more direct from Port Dalhousie to Contriville, as well as secure the advantage of firm soil wherein to place the locks: Mr. Roy, another Civil Engineer, is of the same opinion, and thereby avoid the freshets and contracted channel of the Twelve-mile Creek; but as the expense in either case, we have reason to believe, would be nearly the same as to the Niagara River, where there is the best Harbour upon Lake Ontario, accessible at all times, and the ground deemed favourable for placing the locks, as well as for excavation, it will no doubt be deemed proper that the Engineers examine both routes; and if that to the Niagara River is found to be the best, there is an additional advantage in the Government possessing a considerable portion of land both at Queenston and Niagara, the value of which would thereby be greatly enhanced: and from the liberality at all times manifested by His Majesty's Government, it is not too much to believe that a portion would be appropriated in aid of the funds provided by the Legislature in completing so gigantic an undertaking.

Your Committee, in this their report, have recommended the provision in the bill to be retained providing £200,000 over and above the £45,000 required during the present season, for completing the work in a permanent and substantial manner, with stone locks, and bringing in the water of Lake Eric as the feeder, from a conviction that a less sum would be inadequate for those purposes. It is true that no part thereof can be expended unless the Legislature at its next or some future Session, approve of the report of the Engineers regarding the whole matter; but to defer till then evincing a determination to complete the work would have a most injurious effect upon its future interests, inasmuch as were this delay to take place business would be diverted into other routes, and projects entertained to its disadvantage, which a deter-

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mination on the part of the Legislature of this Province to maintain the work, would utterly deter and extinguish.

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In the ninth clause of the bill, no provision is made in case any two of the Directors to be elected by the Company, should at any election have an equal number of votes; nor to authorise the Executive Government of this Province to appoint Directors, not being Stockholders: and it might be proper to take the opinion of the Law Officers of the Crown as to the legality of titles to be taken for the property on the Canal, now proposed to be purchased, as well as that of the Receiver General.

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All which is respectfully submitted,

(Signed) Z. BURNHAM,  
CHAIRMAN.

Committee Room, Legislative Council,  
Ninth February, 1837.

*Report of the Select Committee of the Legislative Council upon the bill sent up from the Commons House of Assembly, concerning the Welland Canal, 27th January, 1837.*

MR. THOMAS ROY, *Civil Engineer*, called in.

1.—Are you acquainted with the Welland Canal?

*Answer.*—I am acquainted with that part of it from a mile above Lock No. 35, to half a mile below Saint Catharines, or a little more.

2.—Did you examine it thoroughly?

*Answer.*—Was employed for the purpose of ascertaining the practicability and advantages of making a cut from said Canal to Niagara, and for that purpose examined, principally the Canal from Lock No. 31, to below the mountain, and the propriety of constructing Locks in the same places where they are at present, as well as their present state; found them generally to the base of the hill in a ruinous state. The location of the Locks at present, in my opinion, from the bank on the south side, rising abruptly from the edge of the water in the Canal to the height of 80 or 100 feet, and on the north side descending 47 feet, is injudicious, and the levels between the Locks are too short, and do not afford a sufficient extent of surface water for working them; whereas even the Canal carried (as shown on my sketch,) to the Ten-mile Creek, would be nearly straight, and admit of a series of double Locks, and even were the present line continued to Port Dalhousie, I would recommend this straight course for their location: say 7 Locks of 9 feet lift each, and then bear off to the south to join the present route at Lock No. 31.

Single Locks might be constructed on the same route, but to make them completely sufficient would be nearly as expensive as double ones, as it will be requisite to provide reservoirs to supply the water necessary; whereas double locks, by means of valves, communicating with each other afford that supply, with but little additional cost and waste. Locks constructed on the present route, and on the present system, say from No. 27 to No. 15, would be extremely injurious to the navigation on the Canal, indeed impossible to be made efficient, without increasing the current of water in the Canal, which supposing it be one mile per hour, and a vessel towed against it at the rate of three miles an hour by three horses, if no current existed, two horses would be sufficient, so that the reaction would be increased one-third, and if the current be increased beyond one mile an hour, the wash would be considerable, and would injure the sides and bottom of the Canal.

I am further of opinion, from a cursory examination of the ground near to Mr. Hatt's house, in Grantham, which is upon a level with Lake Erie, and the rise above only 25 or 26 feet, that much of the deep cutting on the present route of the Welland Canal would have been avoided, as the ridge does not extend much beyond half a mile in width, and the height to be overcome only 25 or 26 feet as above stated; after passing which, to the south, you descend into the valley of the Welland River, the slope of which is inconsiderable; and from Hatt's, the Canal might be carried easterly, either to Niagara or Queenston, as upon examination by experienced Engineers might be found most advisable. Upon a more systematic investigation it may prove that the ridge might be cut through at some other place, as easily as at Hatt's.

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I am further of opinion, that if it is decided to continue Port Dalhousie as the entrance of the Welland Canal, it would be most advisable to carry the route by or near Mr. Parnell's farm, about two miles east of Saint Catharines direct to that point, thereby avoiding the broken ground and ravines on the present route, and avoiding also the very great injury the Canal must at all times be exposed to from the freshets in the valley of the Twelve-mile Creek, which there is no means of escaping at any expense, and which already have been found so injurious to the work, and so much to impede the progress of vessels passing through the Canal.

The dimensions of the Canal and the capacity of the present Locks are not sufficient for the trade which may reasonably be expected, whenever the Canal is put into a safe and serviceable state.

1st February, 1837.

Mr. McDONELL, *examined.*

Is the same Alexander McDonell mentioned in the bill sent up from the Assembly relative to the Welland Canal; says the property for which, under agreement with the Welland Canal Company, he was to receive £17,500, consists of—

The re-conveyance of all the property sold by the Welland Canal Company to the late J. B. Yates, Esquire, (excepting 60 acres of land at Allanburgh, and 140 acres at Port Colborne,) consists of Bowry and Butler's mills, situate at Lock No. 3, consisting of one flour mill, two run of stones in operation, best intended for three run; one saw mill, one saw; 20 acres of land in the Village of St. Catharines; mills at Marshville, consisting of grist mill, two run of stones; a saw mill, one saw, the tail race of which cost \$1,000; roads in the Marsh made by their private funds; clearing land on experimental farms and ditching, one of which cost upwards of £300; the whole outlay making at the least £7,000. The said agreement was made by three Commissioners appointed by the Legislature, namely, William Chisholm, Charles Duncombe and William Elliott, Esquires, 9th June, 1834; also upwards of 15,000 acres of land in Humberstone and Wainfleet, all the water power along the line of the Canal, except Allanburgh, several acres; 5 or 6 acres at Dunnville; the whole plot of the village at Port Robinson, including a tavern; also several small pieces of land along the line of the Canal, wherever it was thought hydraulic works could be established. The Welland Canal Company receive rent for the water power at Port Colborne, but not the 140 acres of land. To make up the £20,000 mentioned in the bill, being £2,500 more than the former agreement, the Welland Canal Company were to receive the property at Allanburgh, including the mills and 139 acres, and the 140 acres of land at Port Colborne and the mills there, consisting of a grist mill, intended for four run of stones, two or three of which are in operation; a saw mill, two saws; fulling mill; carding machine, and some minor works; also a stone house and miller's house; but this arrangement was predicated upon the supposition, that the whole stock in the Welland Canal owned by individuals, amounting to £117,000, would have been purchased by the Province.

*Report of the Survey for a Ship Canal from Lake Ontario, to the summit of the Mountain in Thorold.*

GENTLEMEN,

In pursuance of your instructions, "To survey a route for a Ship Canal from the Niagara River to the Welland Canal, at the summit of the Mountain," I have examined the River, the Welland Canal from St. Catharines southward to beyond Thorold, and the ground between these two places, and have fixed upon what I conceive to be the most eligible, and the least expensive route between the two points, the outlines of which, and a section of the ground and of the levels of the proposed Canal, I now lay before you, on the plan which accompanies this report, also an appendix containing estimates of expense; my first object was to fix upon the proper point of departure from the River.

The Niagara River, and the approach to it from the Lake, has at all times a sufficient depth of water for any description of vessels which can ever navigate the proposed Canal.

Although the mouth of the River is easy of access, yet it is exposed to the swells of the Lake, especially when the storm is from the north-east. These swells are in part repelled by the current of the River, but are more effectually broken by the point of land on which Fort Niagara is built.

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Southward of a line drawn across the River from the Episcopal Church in the Town of Niagara to Fort Niagara the water is smooth, and forms a safe and commodious roadstead, extending as far as the point on which Fort George is built. Above this point, and onward to Queenston, the current of the River is from three to four miles an hour. Below this point the River widens out, and this circumstance, together with the repelling action of the Lake water, causes the current to decrease; near the western shore, opposite to the Church, it is found to be under two miles an hour.

The elevation of the ground where our line passes along the Common at Niagara averages 43 feet above the level of the Lake. The elevation of the ground near the River, at the dotted line A, shewn on the plan (perhaps the shortest practicable distance between the two points) is from 70 to 80 feet. The elevation of the plains to the westward of Queenston is rather over 100 feet; therefore, five Locks of 9 feet lift, would raise up a vessel from the River to the elevation of the plains of Niagara: nine Locks at the point where the line A terminates, and eleven Locks at Queenston.

It is evident, from the great elevation to which the Canal would require to be raised at the two last-mentioned places, that the ground could not be so well chosen to avoid cutting and embankment, as it is on the line shewn, and the distance would probably be longer from the last-named place, because in order to maintain the level, it would be necessary to follow the sinuosities of the lower ridge, the base of which, near the Ten-mile Creek, is of the same elevation as the plains to the westward of Queenston.

Taking all these circumstances into consideration it is evident, that by making the place of departure at the mouth of the River, the entrance into the Canal would be exposed to the swells of the Lake. By making it higher up than Fort George, the vessels must be detained when the wind is unfavourable, or they must be towed up the River, whilst no decided advantage either in distance or in expense of excavation would be gained.

From these facts I arrive at the conclusion, that the point where the Canal should leave the River ought not to be lower down than a line drawn from the Episcopal Church at Niagara across the River to Fort Niagara, nor higher up than the point on which Fort George stands.

My next object was to fix upon the best point of junction at the Welland Canal. In order to shew the reasons which induced me to prefer the spot which I have selected, it will be necessary, (however averse I may be to it from inclination,) to enter into some details concerning that work.

My first attention was given to the Locks on the hill, with the view of recommending the junction of your Canal to the Welland Canal at the base of the hill, if I found these Locks substantial, or at least so placed as to justify such a farther expenditure upon them, as would make them substantial and permanently efficient.

The greater part of the Locks are in a ruinous state, and upon a minute examination of those which stand more firm, I found the timbers which appeared sound on the outside, to be almost without an exception decayed internally.

The Canal and Locks here are placed on the side of a steep shelving bank; the hill on the southern side rises abruptly from the edge of the water to the height of 80 or 100. At Lock No. 27, where the Canal leaves the more even ground and enters upon this shelving hill side, I found the height of the northern bank to be 47 feet, with a base not at all too wide for its great height. The Canal continues to wind along the side of this hill, the bank on the southern side increasing in elevation, and the bank on the northern side decreasing, until near the place where it enters into the great ravine.

The Locks in proceeding down the hill are placed at short and tolerably regular distances from each other, the intermediate spaces, about 250 feet in length, and about 80 in width, serving as reservoirs for filling them. There are no waste water races, but the water continually falls into the chamber of each succeeding Lock from one level to another.

The quantity of water required to fill one of the present Locks is 21,780 cubic feet; the quantity of water required to fill one of the locks which I shall propose is 36,864 cubic feet. A vessel ascending through the Canal would reduce the depth of water in each of the intermediate reservoirs nearly one foot in filling one of the present locks; and in filling one of our proposed locks would reduce the depth 1 foot 10 inches, even if the sides were perpendicular, but if they

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have a reasonable slope, it would reduce the depth of water more than two feet, a circumstance which would prevent any vessel drawing more than 7 feet water from passing through the Canal, unless it is obviated as it now is by an evil nearly as great, viz: allowing a current of water equal in capacity to the quantity admitted through the valves into the locks at the time they are filling to flow constantly through the Canal.

From the description of the situation of the Canal above given it will be seen, that these reservoirs cannot be enlarged and waste water races constructed, unless at an expense manifestly much greater than would be sufficient to excavate a new Canal in a more favorable location.

The material of which the Locks are composed, and the manner in which they are constructed, render it impossible that they can be made efficient and durable, and I cannot recommend placing expensive and substantial Locks in such a situation.

Having satisfied myself that it is necessary, in order to obtain a substantial and permanently efficient work, to carry a separate Canal over the hill, I proceeded to examine the Welland Canal at and above Thorold, where the long level terminates at Lock No. 35.

The four Locks in the Village do not materially differ from those already described, but here the Canal is located in nearly as favourable a situation as the ground affords. Between Locks No. 32 and No. 31, there is a long level on nearly a straight line.

Two points of junction claimed attention, the first at Lock No. 34, following the base of the upper ridge eastward, (as shewn by the dotted red line B, on the plan,) and locking down into the ravine of the Ten-mile Creek; or else to cross it and several smaller ravines, its branches, by aqueducts and embankments. The first I could not adopt, being well convinced of the inpropriety of locating Canals in ravines, if it can be avoided; and the second was too expensive, if a better line could be found.

I therefore resolved to choose as the point of junction the termination of the straight line above mentioned, a short distance southward of Lock No. 31. The Welland Canal from the Village of Thorold to this Lock is favourably situated. There are several embankments on its eastern side which are too weak, these ought to be strengthened, or (if I may recommend another work,) Lock No. 31 ought to be removed up to near the Village, and the Canal at this place excavated nine feet deeper, which would render these embankments unnecessary, and enable us to place our Locks, Nos. 30, 29 and 28, further apart than they are shewn on the section.

In determining the capacity of the proposed Canal and the size of its Locks, I have not been guided so much by the dimensions of the Welland Canal as it now exists, as by the dimensions to which it will probably be enlarged when it is put into a better state, and by the depth of water in the Locks of the Saint Lawrence improvements. Such a Canal as this can never be used with advantage for Steam-boat navigation, at least as these vessels are at present constructed; therefore it would be an unnecessary expense to construct the Locks of such dimensions as to admit Steam-vessels, and the working Locks of so great a capacity would cause a constant and useless waste of water. I would therefore propose that the dimensions of the Canal should be 44 feet wide at bottom, 80 feet wide at the surface of the water, and 9 feet deep, (as shewn by the sectional drawing, No. 1,) or I would rather recommend the form shewn by the sectional drawing, No. 2. The flat tables, *a a*, (shewn on the drawing,) 3 feet wide and  $1\frac{1}{2}$  feet below the surface of the water, prevent the earth washed from the upper ridge of the Canal by the surges, whether caused by the wind or by the vessels passing through, from rolling down to the bottom. These washings can be cleared off from the tables as often as they accumulate, by lowering the water  $1\frac{1}{2}$  feet between any two of the Locks. This would make the width of the Canal at the surface of the water to be 36 feet, a decided advantage, where the Locks are near to each other.

The estimates for the excavation to the northward of the lower ridge, are cast out according to the form No. 1, and to the southward of that ridge, where the distance between the Locks is shorter, they are cast out according to the form No. 2. The difference of expense in this Canal, where there is no deep cutting, will be trifling.

The chambers of the Locks I would propose to make 122 feet clear, by 32 feet, with 9 feet lift. That the Locks shall be substantially built with cut stone well jointed, to be laid in Roman cement, if it can be procured, and if that cannot be procured, in the best water lime.



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Having determined the points of departure from the Niagara River, and of junction to the Welland Canal, and shewn the proposed dimensions of the Canal and of the Locks, I shall next describe the line as it is shewn on the plan and exhibited on the section, and then describe the position, &c. &c. of the Locks.

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Upon examination, the stratification of the rocks which form the hill at Thorold, proved to be horizontal, and the elevation of the surface of the rock to be nearly equal all along its crest; I found also that by continuing out the straight line between Locks No. 52 and No. 31, of the Welland Canal, it passed to the very margin of the hill, over good even ground of a tenacious soil, and well adapted to the construction of the Canal, and of reservoirs to supply the Locks, and that the point where this straight line passes over the hill is as favourably situated for placing the Locks as any other. By continuing this straight line onward, from the base of the hill to near the place where the Canal crosses the Ten-mile Creek, the uneven ground to the eastward, near the ravine of the creek is avoided, and also, low uneven ground to the westward, which is at several places very near the line.

The declination near the base is rapid, which causes the four Locks nearest the hill to be too close to each other for the supplying of water to work the Locks; but from the formation of the ground this can be remedied at a trifling expense, by embanking shallow reservoirs connected with the Canal between each of these Locks. The surface of the Canal, and the surface of each of these reservoirs, together to form an area of 110,592 square feet; thus the depth of water in the Canal will only be reduced 4 inches in filling one of our proposed Locks: the soil being a tenacious clay is favourable for this purpose.

When the line drew near to the ravine of the Creek, and when the elevation of the ground was found to be rather less than the elevation of the crest of the lower ridge, it became necessary to curve the line to such a bearing as would pass the Creek at a place where only a small quantity of embankment is required, and where an aqueduct will be easily constructed, and also to avoid a wide ravine on the south-east. After proceeding about one-third of a mile on this bearing, the line changes a few degrees more to the south, in order to pass the ground near the ravine and the heads of several branch ravines, and to descend from the ridge at a suitable place. The soil to the eastward of the Creek is mixed, chiefly clay, and appears to be sufficiently retentive; the quantity of embankment is small, and the line of the surface of the water in the Canal is (excepting only a few places) lower than the surface of the ground: one small culvert will be required.

After descending the ridge the line continues on the same bearing for nearly 4 miles; the soil is a firm tenacious clay; the ground remarkably level, and well adapted for the purpose of a Canal. Two or three culverts will be required; or it would be safer, and not more expensive, to make a small lateral cut on the south side of the Canal, to carry the flood water into the Four-mile Creek.

The low swampy grounds to the northward, which are so frequently flooded, being already passed, the line approached the Four-mile Creek; and as a straight line to the point of departure at the Niagara River, would avoid the ravines near the Town, I determined to lay out such a line, especially as it led to a favourable place for passing the Creek; it runs through a fine level country: the soil for a considerable distance is a firm tenacious clay. For the remainder of the distance the sub-soil is clay, but in many places thin deposits of sand are strewed on the surface; near the Town there are a few slight inequalities, but they are of little consequence. Descending from the common to the River, the sloping bank is firm clay, very favourable for the foundations of the Locks. The margin of the River is sand, and the sides of the Canal will require to be protected by walls or piles; at the point of departure there is 12 feet water in the River, 30 feet from the shore.

An aqueduct will be required at the Four-mile Creek; as this Creek is a permanent stream it may be led out of the ravine more to the southward, and used as a feeder to the Canal when required. Five small culverts will be required, but I would recommend, in preference, small lateral cuts to drain off the surface and flood waters, and only to place culverts under the Canal where they are indispensable.

Throughout the whole line, (excepting only the cutting for the foundations of the Locks on the hill near the village of Thorold,) there is no rock excavation.

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From the base of the lower ridge downward the excavation is reduced to the smallest possible quantity, by placing another Lock so soon as the depth of excavation yields a quantity of earth sufficient to form an embankment on each side of the Canal, 15 feet wide at top; the sides of the embankment to have the same angle of declination (67) externally and internally as the sides of the Canal.

The tenacious nature of the soil renders this system perfectly secure: very little puddling will be needed; but at several places the vegetable matter, and at other places the deposits of sand, must be cleared off from the surface of the clay, before the foundations of the embankments are laid.

The proposed Canal throughout the whole line can be kept entirely free from flood water.

The whole distance is 11 miles, 4 furlongs, 559 feet.

The rise from the River to the level ground at the Town of Niagara requires 5 Locks; two ways for placing these Locks presented themselves: the first by locating the Canal in a hollow or ravine, which the line shewn crosses, 2617 feet from the River, following out the sinuosities of this ravine to its termination at the Government Wharf, and placing the Locks at such distances as could be obtained, using the intermediate spaces as reservoirs to supply them with water; the second is that which I have adopted. By the first the distance from Lock to Lock could not have exceeded 600 feet; therefore the width of the Canal at the surface must have been 170 feet, to fill one of our proposed Locks, without decreasing the depth of water in the Canal more than four inches, or reservoirs must have been constructed. The ravine is within the Town: there is not space for reservoirs, neither would it be desirable to form them there; the entrance to the Canal would also have been exposed to the swells of the Lake.

By the plan which I have adopted, one of our proposed Locks can be filled from the level above (4180 feet in length) by only reducing the depth of water in the Canal  $1\frac{1}{2}$  inches; and if the wharves shewn on the plan were formed, the surface of the water would be so much increased, that the depth would be only reduced 1 inch. These wharves, however, I do not recommend to be made part of the works of the Canal. The first plan would probably be somewhat less expensive; but taking into consideration, the great influx of trade which will take place whenever this Canal is opened, it is desirable that there should not be any delay or want of water at this entrance.

I would therefore recommend, that five double Locks be constructed on the ascent from the River, as shewn on the section.

It is not requisite to say any thing concerning the next six Locks, which raise the level of the Canal to the elevation of the base of the lower ridge. An inspection of the section will shew that the long levels between each afford the greatest possible facility for working the Locks and navigating the Canal.

The Locks Nos. 12 and 13, by which the lower ridge is ascended, are situated at the termination of a level 5194 feet in length, the filling of both these Locks from which, will not reduce the water in the Canal so much as two inches.

Lock No. 14 has a level above of only 1,200 feet in length, the filling of the Lock from which, would reduce the water in the Canal  $4\frac{1}{2}$  inches. As 4 inches is the maximum to which I propose lessening the depth of the water at any Lock, the embankment to be formed from the Lock southward, must be so widened out as to enclose an additional space of shallow water, having a surface of 10,600 square feet; this deficiency might be remedied by placing the Lock farther northward, but it would then interfere with the curve near the Ten-mile Creek.

Locks Nos. 15 and 16, have each a level above of 1,400 feet in length; this presents a surface of water equal to filling these Locks, without reducing the depth of water in the Canal more than 4 inches.

Locks Nos. 17, 18, 19 and 20, owing to the rapid descent of the ground, have none of them a sufficient level surface of water above for the purpose of working the Locks. No. 17 will require a shallow reservoir, having a surface of 40,072 square feet; No. 18, one of 52,972 square feet; No. 19, one of 70,172 square feet; No. 20, one of 66,887 square feet. The ground

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is favourable for the construction of these reservoirs; and the earth to be excavated from the Canal is in each case more than sufficient to form the embankments.—(See Note.)

The next seven Locks, conjoined to each other, are placed in the crest of the hill.

Here we have an almost perpendicular ascent of 60 feet to overcome; there are two ways of doing it: first, by short levels and separate Locks; the Welland Canal is formed upon this principle.

The line shewn by the dotted red line, B, on the plan, which passes into the ravine of the Ten-mile Creek, does not afford greater facilities for this purpose than the line of the Welland Canal. The second way is as shewn on the section. I have already proved the inefficiency of locking a Canal down a high and steep hill, by making short levels to serve as reservoirs between each Lock, on account of the decrease in the depth of water in these levels, where the area of the surface does not bear a due proportion to the size of the Locks. If it is attempted to correct this deficiency by introducing a large current of water into the Canal, the waste which it will cause by washing the sides, by forming deposits in the bottom, and by other injuries to which the works will be exposed from its effects, as well as the increased power and cost of traction which it will cause, are circumstances calculated to mar the usefulness of the Canal, and eventually to become sources of expense, which will not a little lessen its profits.

The number of vessels which may reasonably be expected to use this Canal as soon as it is opened, will require every possible despatch. I have no hesitation, therefore, in recommending seven double locks to be placed on the hill, as shewn on the section, to be constructed in such a manner as to economize the water as much as possible.

On the summit of the hill there is a large extent of ground generally even and sloping from south to north; the soil is tenacious clay. On this ground extensive reservoirs should be constructed for working these double Locks.

If these reservoirs were formed on different levels, and made to communicate with each other by self-acting valves, the four upper Locks could be filled directly from the reservoirs when vessels were ascending, and when the vessel had passed, the water could be drawn off from the higher part of each Lock into another reservoir on its opposite side to be used again; an extension of this process might be made to fill the three lower Locks, and thus single Locks could be used; but from the delay and the waste of water which these would cause, and the expense which would be incurred in making and adopting these reservoirs, I am firmly convinced that double Locks ought at once to be constructed.

From these seven Locks to the point of joining the Canal there are four Locks necessary, (see section,) but as some arrangement must be entered into with the Welland Canal Company before these are placed, it is useless to discuss their proper point of location at present. I shall therefore state what appears to me to be the best arrangement for the eight Locks which raise your proposed Canal, and the Welland Canal, from the elevation of the crest of the hill to the elevation of the long level southward of Thorold. I would propose to place the Locks Nos. 35 and 34 together, as far south as the nature of the ground will admit of. Lock No. 33 I would place as near to these as a surface of water can be obtained, bearing the same proportion to the size of the Lock as we have calculated the area of the reservoirs from, on the short levels to the north of the hill. Lock No. 32 I would place as near to No. 33 as a similar surface of water could be obtained. Lock No. 31 I would place as far southward as possible, for reasons already given. Our Locks Nos. 30, 29 and 28 could, when these arrangements are made, and the distance which they and their levels are to occupy is known, be placed in the most favourable position which circumstances would admit of. But in every case, I would hold it as a principle not to be departed from, that a surface of water equal in area to that above mentioned shall intervene between every two separate Locks, and if the level itself does not afford the necessary extent of surface, that it shall be increased by shallow connecting reservoirs. At all the Locks waste water wears and races to be constructed.

The number of bridges required over the Canal cannot now be exactly determined. By the notes of the survey, it appears that the line crosses 18 roads; perhaps arrangements may

**NOTE.**—It may appear, from what is said above, that in drawing off water for working these Locks, the depth of water in the levels will be reduced to 8 feet 8 inches: this is the case; but by placing the boards of the waste water wears 2 inches higher than their true position, and adding the depth of water flowing over these boards, and the increase from the feeding water let in by the races, it is obvious that the water in every one of the levels can at all times be kept up to the full depth of 9 feet.

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be entered into which will render it unnecessary to place a bridge at every one of these; but it is probable that in the wooded parts of the country there are public roads not yet cut out, where bridges will be required; under this uncertainty I have framed estimates for 18 bridges.

I hesitate what description of bridges to recommend. Cast iron swivel bridges are undoubtedly the best; but the first cost is too great, taking into account the number required on this work, and I have misgivings concerning the tenacity of the metal during the severe frosts of this climate. The swing bridges in common use here are clumsy, and not easily managed. I have furnished a drawing of a timber bridge on different principles, the cost of which is placed in the estimates.

The estimates next require attention; their gross amount (including 10 per cent. for contingencies,) is £337,035 4s. 4d. The excavation and embankment together amount to £65,562 4s. 5d.; 10 per cent. to be added for contingencies. The cost of the Locks, which is the heaviest item, is £224,382 11s. 0d.; but it ought to be borne in mind that 12 of them are double. The estimated cost of a single Lock with gates, &c. &c. is £6,217 2s. 6d. The various items forming all these estimates have been carefully calculated. The amount of pressure external and internal; the specific gravity of the materials, &c. &c. have been computed, and the formation of the walls (shewn in the drawing,) is such as to require the least quantity of material and labour consistent with absolute security.

It may be noticed here, that these Locks raise the Canal to the elevation of 279 feet, therefore 6 Locks more, 2 of 9 feet lift, and 3 of 8 feet lift, would raise the Canal to the level of Lake Erie; or that the sum of £37,302 15s. 0d. would complete this system of lockage from the level of Lake Ontario to the level of Lake Erie.

The other items put down under the designation of subordinate expenses do not in several cases furnish data for very accurate estimates; but I feel confident that the sums specified, £14,450 17s. 8d. with 10 per cent. to meet contingencies, (see Appendix No. 3,) will be sufficient for these necessary works.

In framing the estimates, I have not put any value upon the stone to be obtained from the rock excavation on the hill; should the lower beds of that rock prove fit for building the Locks, a saving of several thousand pounds will be effected; whether this should be the case or not, the stone even of the upper beds is suitable for the mason work, races, &c. comprehended under the designation of subordinate expenses.

As nearly all the proprietors on the line have given up their title to the land required for the use of the Canal, it is unnecessary to estimate its value.

Before I close this Report, I conceive it to be a duty incumbent upon me to draw your attention to two things, by which the usefulness of the Welland Canal is greatly abridged, and consequently the value of your work will be proportionably lessened, as in the southern part it is intended to use that Canal. These are: 1st. the flood water which is allowed to flow into the Canal; and 2nd. the immense body of water which constantly flows through it for the purpose of driving machinery. A full supply of water is absolutely necessary in every well-regulated Canal, but this supply ought to be entirely under the control of the persons having charge of that Canal, and ought not to be increased by floods, nor to be diminished by allowing the smallest portion of it to be drawn off for any purpose whatever, unconnected with the Canal.

It is shewn above, that the sum of £37,302 15s. 0d. in addition to the sum required to be expended upon your Locks, would complete the system of lockage up to the level of Lake Erie. This sum must be expended upon the upper Locks of the Welland Canal to make it servicable; therefore the sole advantage which the Welland Canal offers to you is the excavation, in the state in which it at present is, burthened with the above-named drawbacks. By the Appendix No. 1, the estimated expense for excavating upwards of 11½ miles, is £67,562 4s. 5d.; that is more than half the distance from Thorold to Lake Erie; and I am convinced that by cutting in a different direction through the ridge which every where divides the head waters of the Creeks from the head waters of the Chippawa River, the excavation would not be found very formidable. The full value of the advantage to be obtained by using the Welland Canal, after putting it in order, would not probably exceed £50,000 or £60,000; therefore unless the present system of making the Canal a mill-race is abandoned, I would earnestly

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recommend the construction of an entirely new Canal throughout, and upon no account to permit, on so stupendous a work, any minor consideration to interfere with its great ultimate design.

(Signed) THOMAS ROY,  
CIVIL ENGINEER.

January 6th, 1837.

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*Summary of the estimated expense of constructing these works, as they are severally specified in the Appendix.*

Excavation and embankment, . . . . .	£ 67,562	4	5
Thirty-one Locks, twelve of them double, . . . . .	224,382	11	0
Subordinate works, including aqueducts, bridges, water races, towing-path, &c. &c. . . . .	14,450	17	8
Contingencies, 10 per cent, . . . . .	39,639	11	3
Total, . . . . .	£346,035	4	4

*Supplement to a Report made to the Committee for superintending the Survey of a route for a Ship Canal, from the Niagara River to the summit of the Mountain.*

GENTLEMEN OF THE COMMITTEE,

When I undertook your Survey, I did it under the impression that a full sized Canal, with Locks of sufficient capacity for any ordinary description of sailing vessel, not drawing more than 9 feet water, would be constructed; and also, that every possible degree of despatch in passing the Locks, and facility in navigating the Canal would be required. These principles, with a just attention to economy in the construction of the works, and also to that very important measure, its proper location, I constantly kept in view.

Such a Canal, I am well assured, although its first cost would be somewhat greater than one of more limited dimensions, constructed with cheaper Locks, but less calculated for the despatch of business, would in the end prove to be the cheapest: draw a larger share of commerce toward it: and also yield a better dividend upon the capital employed.

By a recent Act of the House of Assembly it appears, that I have mistaken the intention, and that a Canal differing scarcely in any thing else from the present Canal, excepting only the material of which its Locks are to be constructed, is resolved upon; and an impression seems to be entertained, that the line which I have laid out is adapted only for a Canal of the description which I have delineated.

This is by no means the case, so far from it, that I feel confident a Canal of the dimensions of the Welland Canal, and with Locks of 100 feet by 24, can be constructed on the line I have shewn out for a lesser sum than would be sufficient to repair the Welland Canal from Thorold downwards, in its present location, and render Port Dalhousie a safe and accessible harbour, or even roadstead.

This I shall endeavour to shew from my own estimates contained in the Appendix, but would premise that I cannot recommend, upon this most important work, the construction of a Canal of lesser dimensions than those which I have given; or with Locks of a different description from those which I have proposed: and farther, although I am satisfied that the point of termination recommended on the Niagara River is the best which can be found, I am by no means satisfied, or can be convinced without further investigation to the southward, that the Canal ought to cross the hill at Thorold: my present impression is that it ought not.

The first item I shall notice is the Locks. The cost of a Lock, 100 feet by 24, at the prices I have shewn, will be £4,616 1s. 8d.; the cost of 31 such Locks will be £143,098 11s. 8d. I have carefully computed the quantity of materials, the thickness requisite for the walls, &c. &c. and am certain that nothing less than I have shewn will give perfect security. Whether the prices placed against each item be too high or too low is of no consequence, so far as concerns our present purpose; nor indeed, strictly speaking, is any reference to the Locks necessary at all: for every Lock upon the Welland Canal must be new built, as well as upon the other line,

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The next item is excavation and embankment. I cannot find time to cast out the whole distance upon the dimensions of the Welland Canal, nor is it necessary, as a deduction in proportion to the sectional area of each Canal will shew a very near approximation; a similar deduction for the decreased width of the embankments will be attended with the same result.

The amount, per estimate, for excavation and embankment is.....	£67,562	4	5
The deduction for the difference of capacity in the two Canals, is.....	£16,334	4	5
For double Locks, which includes a great portion of the rock excavation, ....	5,481	10	6
Deduction for the lesser width of foundation required for the smaller Locks, ..	2,060	19	5
Deduction on embankment,.....	1,215	0	0
	Deduction, .....	£25,091	14 4
Which subtracted from the original estimate for excavation and embankment, leaves for the smaller Canal, .....		42,470	10 1
The sum of £11,363 10s. still stands in this estimate for the excavation of the foundations of the Locks; as the foundations of the Locks will be to excavate on the line of the Welland Canal, as well as on this line, it follows that this sum also ought to be deducted in a comparative estimate, leaving.....		31,107	0 0

The sum of £14,450 17s. 8d. stands in the estimate for subordinate works. The Welland Canal does not possess all the works there specified, and the works which are upon it of the description specified ought to be re-constructed; this sum, therefore, ought not to enter into a comparative estimate.

Having thus shewn that £31,107 is the full value of the Welland Canal from Thorold downward, subject to the deduction of the sum necessary to clear out the Canal, to secure its banks in the ravine and on the hill, and to make Port Dalhousie as safe and accessible a harbour as the mouth of the Niagara River, it will not be difficult to frame a comparative balance between the two lines.

Without a minute and systematic investigation, correct estimates cannot be given. An experienced Engineer, conversant with the difficulties attendant upon the constructing and maintaining artificial harbours upon a stormy and exposed coast, would scarcely think the whole amount of £31,000 sufficient for the construction of such a harbour. So far as I have investigated the Canal on the hill and in the ravine, I have no hesitation in reporting, that a lesser sum would excavate a new Canal, in a more favourable situation, than would be required to do what ought to be done on this portion of the Welland Canal, before substantial Locks are placed upon it.

On the St. Catharines line the flood water of the Twelve-mile Creek and other streams cannot be excluded, and the works must continue to be subject to all the accidents and derangements which these floods will cause.

The line by Niagara can be kept entirely free from flood water. This line terminates upon a Government Reserve, containing upwards of 250 acres, part of which is already laid out as Town lots: should this line be adopted, the value of this property would be vastly increased. The whole of the wharfage at Niagara will be upon it. The waste water will finally leave the Canal, and flow through it into the River: thus creating a powerful stream for machinery upon the property, after having ceased to be useful for the purposes of the Canal. It is not assuming too much to estimate its ultimate value at nearly half the sum required to construct the Canal, even upon a more magnificent scale than is at present contemplated.

(Signed) THOMAS ROY.

TORONTO, January 21st, 1837.

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## COMPARATIVE BALANCE SHEET,

Showing the expense of constructing a Canal  $\frac{3}{4}$  feet wide, 9 feet deep, with Locks 100 feet by 24, 9 feet lift, from Lock 31 of the Welland Canal, near Thorold, to the Niagara River, and to Port Dalhousie; at the prices specified in the Appendix.

TO NIAGARA.		£	s.	d.	TO PORT DALHOUSIE.		£	s.	d.
Excavation and embankment, including the foundations of the Locks, .....	42,470	10	1	Excavating for the foundations of the Locks, .....	11,363	10	0		
Thirty-one Locks, at £4,616 1s. 8d. each, .....	143,098	11	8	Thirty-one Locks, at £4,616 1s. 8d. each, .....	143,098	11	8		
Subordinate works, .....	14,450	17	8	Subordinate works .....	14,450	17	8		
Contingencies, 10 per cent., .....	20,001	19	9	For clearing out and repairing the banks of the Welland Canal, on the hill and in the ravine, and constructing a safe approach and a good harbour at Port Dalhousie, ..	31,107	0	1		
	£220,021	19	2	Contingencies, 10 per cent., .....	20,001	19	9		
					£220,021	19	2		

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## REPORT

*Of the Engineer appointed to examine the Works upon the Welland Canal.*Report of the Select  
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completion bill.

TO DAVID THORBURN, WILLIAM LYON MACKENZIE, and CHARLES DUNCOMBE, Esquires, the Directors appointed under the authority of an Act of the Provincial Parliament of Upper Canada, passed in the fourth year of the reign of His Majesty King William 4th, chapter 39th, section 8, (March 6th, 1834.)

GENTLEMEN,

In compliance with your very distinct instruction, dated the 2nd day of July last, I have proceeded to examine all the works upon the Canal line, or connected with the Welland Canal Navigation.

The route, now so well known, between Lakes Ontario and Erie, commences in the former Lake at Port Dalhousie, and proceeds through the valley of the Twelve-mile Creek, by:

4 Locks to St. Catharines, distance .....	5 miles 18 chains.
31 do. to Thorold, do. ....	4 " 50 "
2 do. to Allanburgh, do. ....	3 " 47 "
2 do. to Port Robinson, do. ....	2 " 55 "
Level to Aqueduct, do. ....	4 " 20 "
Level to junction of Feeder, do. ....	1 " 00 "
1 Lock at Gravelly Bay, Port Colborne, distance .....	6 " 60 "

Total length of Ship Canal is ..... 27 miles 50 chains.

Locks 40 in number; aggregate rise and fall 356 feet.

Feeder from junction of Gravelly Bay route to Marshville, .....	7 miles 30 chains.
Do. to Broad Creek, .....	9 " 00 "
Do. to Grand River dam at Dunnville, .....	4 " 45 "

Total length of Feeder, ..... 20 miles 75 chains.

From Dunnville to mouth of Grand River, ..... 4 miles 60 chains.

Length of Canal and Feeder, 48 miles and 990 yards.

*Lockage.*

The first three ascending Locks from Port Dalhousie are 130 feet within the chamber, and 32 feet wide. Port Colborne Lock, descending, is 125 feet by 24 feet wide; the residue are 110 by 22 feet within the chamber.

- Lock No. 1.—Beginning at Port Dalhousie, constructed of timber, is at present in good general repair; timber framing in the ordinary process of decay; new gates have lately been suspended. This Lock may probably continue serviceable for three years, as the workmanship is good.
- " No. 2.—Same dimensions as above; built with timber; is in good ordinary repair, except leakage in side walls: timber well united, and workmanship good; probable duration three years.
- " No. 3.—Same dimensions; constructed of timber; in ordinary working repair; workmanship good; probable duration three years.
- " No. 4.—Constructed of timber: 110 within the chamber, and 22 feet wide; timbers decayed upon upper return head; side walls bulged, and considerable leakage; probable duration two years.
- " No. 5.—Timber; same dimensions; in fair working order; probable duration three years.
- " No. 6.—Timber; same dimensions; bulge upon side walls and coping; timber in ordinary decay; probable duration two years.



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Lock No. 7.—Saw-mill Lock; same dimensions; originally built of timber; very frequent repair has been made upon this Lock during a succession of years; lower piers re-built with rubble masonry, 24 feet apart; also lower recess, and 46 feet of side walls; part of the chamber composed of timber remains as originally built; also upper recess, piers and wings; the foundation of all the masonry is insecure; extensive repair ordered.

“ No. 8.—Constructed of timber; workmanship deficient; considerable bulge upon side walls and recesses; duration uncertain.

“ No. 9.—Built of timber; workmanship defective; otherwise in tolerable repair; lower gates require to be re-planked; duration uncertain.

“ No. 10.—Wooden Lock; lower hollow quoins and angles of piers much decayed; bulge upon side walls; timbers weak about upper recess; workmanship defective; duration uncertain.

“ No. 11.—Wooden Lock; south side much bulged; timber in the ordinary state of decay; gate posts and framing good; workmanship of Lock defective; duration uncertain.

“ No. 12.—Originally built with wood; now stone and wood; north side 30 feet from upper hollow quoin built of rubble masonry; stands well, but considerable leakage between stone and wood work near head; opposite side wall much bulged; gates in fair working order; duration of old timber work uncertain.

“ No. 13.—Wood; in ordinary repair; side walls much bulged; workmanship defective; no treenails or fastenings apparent; gates good, except swing-bars; duration uncertain.

“ No. 14.—Wood; several timbers displaced in lower wing walls; deficient in treenails; side walls much out of perpendicular; timber of Lock in ordinary decay; gates good; duration uncertain.

“ No. 15.—Originally composed of timber; now consists of cut stone, rubble masonry and timber; lower piers and 9 feet of recess built of cut stone; good workmanship; all the rubble masonry and bad wood work very defective.

“ No. 16.—Originally built with timber; south side composed of rubble masonry and timber framing—bad foundation for masonry; walls much shaken; timber work upon the opposite side in bad repair; this Lock is the *narrowest* upon the line, being 20 feet 4 inches in width within chamber and at lower gates; immediate repair ordered.

“ No. 17.—Wooden Lock; lower return heads open at joints; few treenails or fixtures; side walls greatly bulged; timber in ordinary decay; workmanship very defective; gates good; duration uncertain.

“ No. 18.—Wooden Lock; timber in ordinary state of decay; workmanship defective; may probably remain as it is at present for one year, without much extra repair; width only 20 feet 6 inches within the chamber.

“ No. 19.—Originally of wood; re-built with a stone pier upon the south side; part of side wall is of rubble work, but built upon improper foundations; north lower pier of timber, much decayed and considerable leakage; duration uncertain.

“ No. 20.—Formerly wood; now composed of wood and rubble masonry; all in very bad repair; one side requires renewal from upper hollow quoin downward; also 45 feet of opposite wall; foundation timbers and planking required to be replaced; this work to be done immediately.

“ No. 21.—Originally timber; now wood and stone; planking of chamber requires renewal; upper check course displaced; several principal bottom timbers decayed; sheeting piles and plank required; gates good; duration uncertain.

“ No. 22.—Wooden Lock; workmanship defective; otherwise the foundations and timbers are in ordinary condition; duration not more than one year.

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- Lock No. 23.—Wooden Lock; timbers in ordinary state of decay; sides much bulged and leaky; upper head timbers displaced; workmanship and framing very deficient; duration uncertain.
- “ No. 24.—Wooden Lock; timbers decayed; side walls bulged and very open at lower pillars; duration uncertain.
- “ No. 25.—Originally wood; now wood and stone; south side composed of timber and rubble walls; north side of timber defective, and will require speedy repairs.
- “ No. 26.—Wooden Lock; timbers much decayed; bulged upon both sides; defective workmanship; duration uncertain.
- “ No. 27.—Wooden Lock; timber decayed; open at lower piers; treenail and fastenings defective; will require speedy repair.
- “ No. 28.—Wooden Lock; timbers in ordinary decay; open at all the outside joints and angles; deficiency of workmanship.
- “ No. 29.—Wooden Lock; timber much decayed; gates good; bad workmanship; duration uncertain.
- “ No. 30.—Wooden Lock; timber in ordinary decay; leakage in side walls; corners of piers very open; duration uncertain.
- “ No. 31.—Wooden Lock; summit of mountain; timber in ordinary decay; duration uncertain; workmanship defective. Thorold summit contains Locks 32, 33, 34, and 35—all in good working condition; very little repair has hitherto been required upon these Locks, and with the exception of new gates and sheeting plank for upper piers of No. 35, none may be anticipated during the present season; workmanship good; probable duration three years.
- “ Nos. 36 and 37.—Allanburgh Locks, northern extremity of the Deep Cut; built of timber, which is comparatively sound; workmanship good; probable duration three years; new gates required, and under contract.
- “ Nos. 38 and 39.—Descending Locks to Chippawa; workmanship good; timbers in the ordinary decay; back ties and braces very much decayed; duration two years; new gates required, and under contract.
- “ No. 40.—Entrance Lock from Lake Erie, at Port Colborne; built with rubble masonry upon prepared timber foundations; appears to be in good condition; is of good workmanship, and may remain permanent for ten or fifteen years.

A waste wear composed of timber framing is connected with each of the above Locks; their progress of decay and duration nearly corresponds with what has been stated respecting the Locks, and will all require simultaneous repair or re-construction. It may be here remarked, that Locks Nos. 16 and 18 are the narrowest upon the Canal line: the first being 20 feet 4 inches in width within the chamber—the second is 20 feet 6 inches at its narrowest part; the residue vary in width, from 20 feet 6 inches to 21½ feet. Previous to opening of spring navigation for 1836, it is intended to repair the most defective, and widen the narrowest Locks upon the Canal line, and in succession to re-construct all to the width of 24 feet. Having conversed with many of the ship masters, at present employed in navigating the Lakes by the way of the Canal, I find two classes of vessels designated upon the line, namely, the old and new.

The former class comprises a number of vessels, such as the Ohio and Detroit, of moderate length for the lockage, but rather too broad to pass the narrowest Locks with ease.

The dimensions of the largest of this class is 73 feet length of keel, 20 feet 4 inches breadth of beam, with a draft of 7 feet 2 inches of water. A vessel of these dimensions will carry 4,000 bushels of wheat. The most approved vessels for Canal transit, in connection with Lake navigation, are of the new class, having 20 feet beam or extreme width; 75 feet length of keel, and 80 feet over all, between stem and stern; floor timbers 15 feet, with 16 inches dead work; slip keel 4 inches projection; draft one-fourth of an inch to a foot, or 7 feet 4 inches in all for a cargo of 120 tons. Four tier of flour or salt barrels is considered to be the best dimensions for storage, or four barrels by the head and five by the stern. Vessels have no

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difficulty in passing the Canal, between Lake and Lake, in 24 hours. There are 103 vessels at present employed as regular traders through the Canal line; aggregate burden 7,294 tons.

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*Rate of Toll on the Welland Canal, through the whole route.*

Vessels under 40 tons burthen,.....	5 Shillings.
Do. between 40 and 50 tons, .....	10 do.
Do. over 50 tons,.....	15 do.

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*Canal Bridges.*

No. 1.—	Horizontal Bidge;	for public road from Port Dalhousie to Niagara; lately put in good repair.
No. 2.	do. do.	near Lock No. 2; Port Dalhousie and St. Catharines' public road; in good repair.
No. 3.	do. do.	below Lock No. 3; in good repair; public road from Niagara to Toronto.
No. 4.	do. do.	across Lock No. 4; Canal accommodation; in good repair; the above bridges are well coated with paint.
No. 5.	do. do.	across Lock No. 20; public road from Niagara to Thorold; in ordinary repair.
No. 6.	do. do.	near Lock No. 31; public road from St. Davids' to Short Hills; in ordinary repair.
No. 7.	do. do.	near Lock No. 33; Thorold; in good repair.
No. 8.	do. do.	above Thorold; Niagara to Short Hills; general repair in progress.
No. 9.	do. do.	public road; Falls to Beaver Dams; extra ballast required; otherwise in good repair.
No. 10.	do. do.	public road; Allanburgh to Niagara; in ordinary repair.
No. 11.	do. do.	New Bridge, opposite Allanburgh Mills; requires paint.
No. 12.	do. do.	Port Robinson; public road; requires planking and new platform.
No. 13.	do. do.	Shotwell's Bridge; public road; angles of piers much decayed; height only 6 feet 8 inches above surface of Canal.
No. 14.	do. do.	Burger's Bridge; timber at angles of piers much decayed.
No. 15.	do. do.	Aqueduct; public road; in ordinary repair.
No. 16.	do. do.	At junction Gravelly Bay and Dunnville road; will require some adjustment before ensuing spring.
No. 17.	do. do.	Peterborough; public road; in good repair.
No. 18.	do. do.	Port Colborne; public road; new planking for approach upon both sides required.

*Bridges upon Feeder.*

No. 19.	do. do.	Marshville Bridge; new; not quite finished, but passable.
No. 20.—	Common Bridge;	without draw; injured by Steamer Caroline; now passable.
No. 21.—	Horizontal Bridge at Dunnville;	new; requires paint.

There are also upon the line of the Canal and Feeder three sets of stop gates, in good working condition.

McAdam's Mineral Composition has been recommended as well adapted for coating timber or wood work subject to alternate wet or dry. The Canal Board have authorised the immediate purchase of a sufficient quantity of that composition to paint all the works of importance upon the Canal route.

*Dam at Dunnville, Grand River.*

This work is 594 feet in length, 18 feet in width at base, and 7 feet in height, surmounted by a public road bridge, and strengthened at its western extremity by a retaining wall and strong extra embankment; this embankment is 484 yards in extent. Considerable leakage was observed during the lowest state of the river in August last, near the centre of the dam, which is now secured, and a sufficient quantity of gravel and stuff deposited to guard against its recurrence.

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There are seven separate waste wears in connection with the great dam, generally 66 feet in width, and all at present in good repair.

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*Culverts.*

There are only four culverts required upon the whole extent of the Canal and Feeder, they are composed of timber, and are in good repair. Two new main let-offs are at present required, and will be built of masonry, before the winter sets in, according to a particular design.

*Canal Banks and Back Drains.*

Throughout the whole line of Canal and Feeder, the work under this head, although by no means perfect, is in very good general repair; no situation has been observed where immediate injury to any extent may be anticipated, as has been sufficiently tested by the unprecedented freshets of 20th October.

From Dumville to the junction, the banks and back drains, upon the path side, require some extra raising and clearing. The embankment upon the Berm side is raised, in many places above the water surface, but several vacancies occur to unite and raise the work to its proper height. The amount of contract work still unexecuted is 11,821 cubic yards.

From the junction to Port Colborne, it does not appear that any immediate improvement is required, beyond the proper formation of back drains and waste wears, near bridge at Port Colborne, and the removal of 620 cubic yards of rock, at present under contract.

From the junction to Port Robinson, the Canal path is narrow in many places, running at intervals from the aqueduct northward, through Shotwell Farm to Shotwell Bridge; 320 lineal yards of this extent will require to be strengthened, while widening the Canal surface, at present under contract. The back drains and paths are in good repair to Port Robinson.

From Port Robinson to the northern extremity of the Deep Cut, a line of top back drain will be required, to check surface water from the cut, before setting in of winter: several places are commenced with, but no uniformity of design has been observed. The present tracking path and bridges have lately undergone a general repair.

From the summit to Thorold, the banks are broad and generally good; several weak places here have been observed, and are under repair. Between No. 8 bridge and Thorold, about 800 yards of new track path is in the course of formation, upon a higher level than the former. Here the Canal banks are very soft, and frequently slide so as to interrupt the present path.

From Thorold to No. 3 Lock at St. Catharines, the banks and back drains are all in ordinary repair; near to Lock No. 3, some widening and raising will be required by the ensuing spring.

From No. 3 to No. 2 Lock head, considerable repair is required: facing and embanking inside Canal slopes at the water surface. Various slides are here also in progress; to arrest these, it may be necessary to have recourse to the mode proposed by plan No. 7, hereafter explained.

From Lock No. 2 to Port Dalhousie, the banks have lately been placed in good repair, with the exception of 628 lineal yards, that require to be widened and raised. The most effectual mode of doing this is represented by drawing No. 2; the estimated expense, where only one side is required, is £9 17s. per hundred lineal feet. The principal item of expense here is for timber; in many cases the back anchor timbers may be dispensed with.

*Harbours.*

Port Dalhousie, situated upon Lake Ontario, at the northern termination of the Canal, is formed by two piers, each 1,026 feet in length, running nearly in a north and south direction, separated about 60 feet from each other upon the land side, thence diverging to 134 feet at their termination in the Lake.

The accompanying plan No. 9, shews the exact position of the piers and the depth of water in the channel, obtained in the month of July last, when the Lake waters were considered at their medium height.

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The greatest depth of water is found at the extremity of the piers, being  $11\frac{1}{2}$  feet, varying inland from 10 to 9, and 8 feet 2 inches, the least depth observed.

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During the present season, 270 feet of new piers have been constructed, and all the work executed according to the contemplated original plan, with the exception of decking the entire superficial extent of the piers not yet contracted for. To render Port Dalhousie a safe and commodious harbour for steamers and other large Lake craft, it will be necessary to extend both piers 458 yards to the point marked B, B, upon the plan, to 18 feet water. This point at bottom being below the under current, and beyond all the bars, a clear and deep entrance will be preserved at all seasons; after the formation of interior basins, according to design No. 9, this work, as an artificial harbour, will be complete in all its parts, and then may afford shelter and accommodation to all the vessels at present navigating the Lakes.

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*Port Colborne, or Gravelly Bay:*

Situated on Lake Erie, at the southern extremity of the Canal, is formed by a main pier 2,300 feet lineal, and 16 feet wide, extending into 12 feet water in the Lake, enclosing an interior basin 400 feet square, as represented by the plan No. 4. All the work contemplated for the season, and under contract, is executed, decked, and upon final inspection presents every appearance of solidity; a Light-house is built upon this pier head, which requires temporary repair.

The depth of water, parallel with the main pier, varies from 12 to 11, 10 and 9 feet at Lock entrance; here the depth is subject to considerable diminution after gales from the south and south-east, that causes an almost constant use of the dredge. To obviate that expense, and protect the entrance, it will be necessary, as soon as practicable, to place a pier 1,260 feet in length, in the direction marked A, B, upon the plan; this proposed pier will effectually guard against the inconvenience adverted to, and render Port Colborne equal in accommodation, for exit and ingress, with any harbour upon Lake Erie.

*Grand River Harbour:*

Is situated at the confluence of the River with Lake Erie; is composed of one single line of main pier 707 feet in length, terminating in  $8\frac{1}{2}$  feet water; the depths varying inward from  $8\frac{1}{2}$  to 9, 11, 14, 12, 12 and 14 feet, as represented upon the plan No. 5.

This pier suffered severely during the great gale of October last; about 280 feet lineal of the main pier was carried away by the storm, and the residue much injured.

These piers were originally placed in the most unfavourable position to preserve access and egress between the Lake and River, running precisely at right angles with the direct train of the stream, as will be observed by the plan No. 5. The line A, B, shews the direction of the current opposite the old Naval Dépôt. This current impinging against the River bank is deflected from thence to the direction of B to C, producing a depth of 12 feet water upon the pier face at C; from thence the current is propelled in the direction of C, D, E, consequently the greatest depth of water is found near C, and here the piers are undermined to the greatest extent. The greatest depth of water in the main channel, as may be expected, is upon the line C, D, and considerably removed from the pier head where only  $8\frac{1}{2}$  feet water is found; in order, therefore, to make as much use of the present piers as practicable, seeing that the best direction cannot now be obtained, I have recommended the construction of a short *jetty*, to be composed of timber and stone, about 100 feet in length, by 14 feet in width, to be placed in the position marked upon the plan by H, H. Upon an insertion of this pier the River will receive a new train in the direction H, D, which will remove the sand bar at K, K, cover the weak parts of the present pier between C, and D, and produce deep water in the required channel opposite the pier head.

A particular design for repair of the delapidated piers, in connection with this jetty, has been submitted to the Board of Directors, *approved*, and is now in progress of execution, and nearly completed.

Before this harbour can be considered perfect, another pier 730 feet in length must be placed in the direction marked L, M, upon the plan. This additional work, in connection with the contemplated *Ship-Lock* at Dunnville, will render the Grand River harbour a position of the greatest importance upon Lake Erie.

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Having enumerated all the works of importance upon the Canal and feeder, excepting the aqueduct across Chippawa River, which is built of timber, and in excellent repair, I will next endeavour to explain the situation of the hydraulic works, mills and machinery, upon the Welland Canal from Port Dalhousie upwards.

No. 1.—*Port Dalhousie:*

Captain Christie's saw mill, one saw, in rear of entrance embankment. This water privilege does not affect the Canal navigation, as all the surplus of lockage, waste wears and mill water, situated upon higher levels, must necessarily pass through this level, either by lockage, waste wears, or for the purposes of machinery. This mill site is valuable, from its length of summit level and permanent supply, and produces a revenue to the Canal Company of 100 dollars per annum, upon a ten years lease.

No. 2.—*At No. 2 Lock:*

A saw mill is in progress of building by Mr. William May. The water supply for this mill will be equally permanent with the former. In all cases the mill flues should be regulated to draw waste water *only* from the Canal, by an overflow of certain fixed dimensions, unless during floods or very wet seasons, when sluice gates may be opened. The revenue of this mill will be 100 dollars per annum, ten years lease.

No. 3.—*Butler & Company:*

Saw and grist mills, upon the lower level of Lock No. 3. Water is taken from the upper level and returned to the lower; a careless miller may, in a few hours, drain the upper pond, where the intermediate ponds are short; regulation of surface flues here required; revenue 400 dollars per annum, ten years lease.

No. 4.—*St. Catharine's Water Company:*

Occupy all the waste water upon levels Nos. 4, 5 and 6, with a fall of 22 feet 6 inches; also, all the waste water from the Canal at Lock No. 24, near the mountain summit, 179 feet fall. The water is conducted to the first series of mills by an open cut  $2\frac{1}{4}$  miles in length; expense to the Canal Company about 6000 dollars, exclusive of land; revenue 500 dollars per annum, upon a lease of ten years.

The Water Company have constructed at their own expense, three separate races, in connection with the Company's race and with each other, and have placed thereon the following mills and machinery:

1st.—Upon the higher level an extensive grist mill, owned by Mr. O. Phelps.

2nd.—Surplus water upon a lower level moves machinery for a pail factory, carding mill, brewery and tannery; also a saw mill in progress of building.

3rd.—All the surplus water from these mills and levels is then carried upon the lower level to Mr. Merritt's establishment, now building, to consist of saw and grist mills, besides other machinery that the increasing wants of the country may demand. These valuable and extensive privileges are possessed by the Water Company at a very moderate rate.

No. 5.—*Saw Mill:*

Owned by Mr. O. Phelps, at the upper level of Lock No. 7; returns water to the level below; a regulating flue is here necessary, to prevent the night miller from interfering with the Lock gate arrangements, and the mill owner to be held accountable for any delay that may occur in passing the Locks.

No. 6.—*Thorold Mills:*

Upon Thorold summit there is an aperture or flue inserted into the Canal bank, 12 feet long, 3 inches deep, and 12 inches under the Canal water surface. This flue passes water to a grist mill, the property of George Keefer, Esquire, with four run of stones; this privilege being a *premium* by the Canal Company for the first grist mill upon the mountain summit, no revenue is derived therefrom. Same water moves a saw mill belonging to Mr. Squires; also a grist and carding mill, same owner, before its return to the level below; revenue 160 dollars, ten years lease. Upon opposite side of the Canal, water is taken by a flue 8 feet in length,  $2\frac{1}{4}$

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inches in width, and 10 feet below the Canal surface, to a saw mill owned by George Keefer, Esquire, with three run of saws; revenue 300 dollars per annum, ten years lease. This water is returned to the level below.

There is likewise a lath mill at the adjoining waste wear, belonging to Nicolls, only in occasional use; may be worth 25 dollars per annum.

Upon the middle level, water is taken for two saw mills, the property of Messrs. Keefer and Emery, with three saws; water returned to the lower level; revenue 300 dollars per annum, lease ten years.

No. 7.—*Allanburgh Mills:*

Situated at Lock No. 37, northern extremity of summit level; comprehends a grist mill, with two run of stones, two saws, saw for lath, shingle saw, carding machinery, and fulling mill; water is taken from the summit, and returned to the level below. The Canal revenue from this establishment is uncertain—increasing or decreasing, in proportion to the value of the privileges let by the St. Catharine's Water Company, by special agreement with the Canal Company.

This is one of the most valuable situations for mills and machinery upon the line hitherto described, having the command of all the summit level, the mills may work nearly all the season without injury to the Canal.

No. 8.—*Port Robinson:*

Gypsum mills and works for the preparation of hydraulic cement, Mr. Donaldson's property; water is taken from the Canal, near stop gates; is not returned to the Canal; requires regulation during the summer months; revenue 100 dollars per annum, ten years lease.

No. 9.—*Gravelly Bay Water Company:*

Are at present constructing, at the lower level of entrance Lock, saw and grist mills, in a favourable situation for Canal waste water; steam machinery is in contemplation, when the Canal supply is deficient; supposed revenue 200 dollars.

Under strict regulation, and in ordinary seasons, all the before-mentioned mills may be used during most of the summer months, being now under the control of the Welland Canal Company.

No. 10.—*Feeder.*

Marshville saw and grist mills, Grey & Greybiel; water taken from the feeder and lost, being conveyed by a back drain to the Chippawa River; these mills should be stopped during at least three summer months, from their tendency to retard the flow of water in the feeder; revenue 120 dollars.

No. 11.—*Dunnville.*

Situated at the entrance of the feeder, near Dunnville Bridge, owned by—

Mr. Kemp, a mill with two saws,.....	Revenue 200 Dollars.
" Thompson, one saw and fulling mill,.....	do. 150 do.
" Davis, two saws and grist mill,.....	do. 250 do.

Although these mills are under the control of the Company, and subject to the same regulations as those upon the line below, the position of so much machinery is unfavorable to the free discharge of water in the feeder; in ordinary seasons these mills should be shut during the months of *August* and *September*.

Total revenue for mills and machinery, say 3,855 dollars per annum. The question of mills and machinery upon the Welland Canal resolves itself simply into this:—If the mills now established upon the Canal line retard the navigation in ordinary seasons, with a limited trade, the effect by a double or quadruple trade would obviously be, either to stop the mills or the navigation. The present system of placing mills at adjoining Locks, connected by short levels, is very injudicious, the greatest care of the Lock-keepers being insufficient at times to prevent a reduction of the level, but more particularly by night, when it frequently occurs that one or more hours is necessary to raise the water to the navigating height. Under all these circum-

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stances, extended waste wears of solid cut stone, inserted into the Canal bank, is the only preventative; then waste water only will be used.

The Welland Canal is at present under the following superintendence:—

*Division.*

- 1st.—Gravelly Bay harbour and works is under the charge of James Black, Esquire, Collector of Tolls, his jurisdiction extends to the first culvert north of the harbour. A. B. Ostrom is overseer of the labourers and Lock-tender.
- 2nd.—Andrew Thompson, Esquire, is Collector of Tolls at Dunnville, and is placed in charge of the works at Grand River dam, and waste wears; also upon the line of feeder to Broad Creek, with the regulation of Dunnville mills.
- 3rd.—Aitkins has the superintendence from Broad Creek upon the line of the feeder to its junction with the main Canal; he has also the control of Marshville mills.
- 4th.—John Toyne has charge upon the main Canal, from near Gravelly Bay to Port Robinson; generally employs three men, with repairs.
- 5th.—Port Robinson to Allanburgh, in charge of John Calaghan, is Collector of Tolls, and Tender for descending Locks to Chippawa River.
- 6th.—Allanburgh to culvert is in charge of Richard Campbell, who is also Tender for two Locks.
- 7th.—Thorold; Higgins has charge of this part of the line, from Hall Davis' culvert to No. 31 Lock; generally employs two men. Richard Campbell is Lock-tender upon this division, with control of Thorold mills.
- 8th.—Seven Locks below Thorold summit are let to Chalmers, who tend the same, and keeps the embankments in repair.
- 9th.—Upon this division, extending to Port Dalhousie, there are seven Lock-tenders, who keep the embankments in repair at a fixed rate per annum, and have the control of all the mills adjoining their respective Locks. George Smith, Esquire, has charge of the works at Port Dalhousie, is also Collector of Tolls at that place.

John Vandeburgh is general Superintendent upon the Canal line, for repairs, procuring workmen and materials; the Lock-tenders and passing vessels are under his directions. The annual expense of these departments are detailed in the Canal Company's balance sheet, to accompany this report.

The working system of the Canal, as at present established, is well arranged as to efficiency, although as in all similar cases, much of its economy and usefulness depends upon the vigilance of the Superintendents, and strict attention of Overseers in the discharge of their respective duties.

*Washing out the Deep Cut.*

I have investigated the proposition to increase the depth of water by flooding, through the summit cutting, and so far as I can understand the subject, the following results in execution may be anticipated:

From experiments already made, there can be no doubt of the practicability of the measure. The intervening strata between the Chippawa and the northern face of Allanburgh summit being stiff clay, super-imposed upon quick-sand, it is self-evident that after a current of water is carried from Chippawa to the mountain face, with either a fixed or regulated head, the intervening strata, clay and sand, must be displaced in proportion to the head applied.

Forty feet of head may be obtained from the Chippawa, and once let loose without regulation, would open a passage through the Deep Cut many hundred yards in width: its effects upon the valley below could not be easily calculated.

But the plan proposed for executing this work is, by drawing water from the Grand River Feeder, situated 16 feet above the surface of Chippawa; to form a dam across the present cut near Allanburgh; and after passing through, and washing out the Canal bottom, the current is to be diverted into a branch of the Twelve-mile Creek, and not to interfere with the present navigation until the water arrives at St. Catharines.

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From trials that have been correctly made, it appears that at the bottom of streams a velocity of three inches per second will begin to act upon clay of a consistency similar to that in the Deep Cut.

Six inches per second will remove sand of a quality corresponding to that in the bottom of the Cut.

From this data it will be observed, that a greater velocity is required to move fine sand than ordinary clay; therefore at any given velocity a greater proportion of clay will be displaced.

But as water from the feeder passing through this Cut will not immediately act above its level, the Canal banks after some resistance, will assume the form shewn in diagram No. 6, marked a, a; the portion marked a, being undermined and carried away by the current, the superincumbent part a, will soon fall into the channel of the Cut and there be decomposed; in succession other portions of the banks, b, b, will be undermined and disintegrated, until the intended depth is acquired.

The washing process being stopped, we then find two parallel and nearly perpendicular walls of clay, each 30, 40, 50 or 60 feet in height at c, resting upon a base partially undermined, and composed of quick-sand, as at D.

To give these walls a proper slope by the ordinary process of excavation, as regards time, quantity and expense, is out of the question; we may, however, fill the Canal to its original height with water, now 24 feet in depth; this water will partially sustain the banks to that height, then permit the banks to form their own slope by decomposition and slides. At this stage of proceedings any ordinary slide would be of less consequence from the great depth of water in the Cut and its increased width, but owing to the peculiar situation of the banks we cannot calculate upon a moderate slide *only*, as independent of their natural height, we have from the increased width a vast accumulation of superincumbent spoil bank to contend with, that must ultimately fall or slide, and so impede, or probably obstruct the navigation in such a manner, that the washing process must again be resorted to at whatever period these slides may occur.

The next enquiry will be, how is the flood water, with its suspended clay, to be disposed of?

The only practicable off-let, without passing through the Canal line and Locks, is by one of the branches of the Twelve-mile Creek: distance, taken from a map of the District, seven miles before reaching the Canal line at St. Catharines; in this distance there is a fall of 290 feet: consequently the flood water will have lost none of its velocity, and nearly all the clay remaining in solution will be deposited somewhere between St. Catharines and the extremity of the piers in Lake Ontario, thereby tending to produce dredging and deepening to an unknown extent upon a distance of nearly six miles.

Offers to execute this work to the required depth have been made by responsible persons for the sum of £6,000 Currency; but although the sum proposed is moderate, compared with the magnitude of the undertaking, and the advantages that may be derived from a direct communication with the Chippawa are great, I would, nevertheless, hesitate to propose its execution, from the probability of obstructions to the navigation, uncertainty as to time required for its final completion, and from its probable effect upon the navigation adjoining Lake Ontario.

*Extra Width through the Deep Cut.*

The average width through the Cut, 2 miles and 1,200 yards, being only 24 feet at bottom, the increasing transit will immediately demand an extension of this width to at least 36 feet, for the free passage of schooners 20 feet beam. To effect that object excavation to the extent of 24,400 cubic yards will be immediately required; a proportion of this excavation may be done in the usual manner by cutting and *drop scows*; the residue may be accomplished by dredging either with horse or steam power.

*Securing Canal Banks.*

In several places upon the Canal route, particularly between Locks 2, 3 and 4, also at several points upon the Deep Cut, the banks are subject to slips or slides, generally found where they are very high, and of a wet or spungy consistency; without great care and expense it is very difficult to remedy this defect. The plan that I have hitherto found most permanent and

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ultimately the least expensive, upon works of a similar nature, is that exhibited by drawing No. 7, composed upon either the path or berm side, or upon both, *first*, with a back drain of brick work, 18 inches square inside, securely laid in water cement, the top nearly level with the back slope of the path or berm, covered at intervals with a close iron grate; to the lower part of this duct of brick work an iron pipe 6 inches in diameter is correctly fitted, united therewith, and made to pass through and under the path to the surface water of the Canal; one of these ducts and a pipe is placed in every 60 or 80 yards lineal of the Canal, having back drains of brick, with a slight inclination in connection therewith; then a retaining wall is erected, of the dimensions and form shewn at A, A, of stepped masonry, the wall terminating at 2 feet width at top; from the face of this wall a second back slope is formed, connected with a second range of drains and ducts: the drains inclined upon each side, so that they unite with the main ducts and drains below; then a second retaining wall may be formed of similar dimensions and description of masonry, as already explained.

If necessary, a third or fourth series of back drains, ducts and stepped retaining walls, may be constructed, all with regular ascents and descents, until the point of difficulty is passed, where the embankments and slopes are formed in the usual manner.

*Improvement of Locks.*

The great desideratum upon the Welland Canal, at present, is the lockage and waste wears, more particularly those from No. 5, upwards, to No. 31, near Thorold summit.

Timber framing in the body of several of the Locks is comparatively sound, but the workmanship in all is defective.

Locks Nos. 7, 12, 15, 16, 19, 20, 21, 25 and 31, repaired partially with stone, have generally been built upon improper foundations, and *clay backing* inserted, while subject to frost; this first deficiency has produced that dislocation which is so apparent; the second has pressed the side walls beyond their perpendicular, and rendered all the numbers from 6th to 31 very insecure.

Upon a particular examination of the ground between these defective Locks, it appears that a new position may be obtained, in a connected chain, from Lock No. 31, downwards, to No. 18, opposite to Centreville. [See plans No. 8 and 9.] Nearly all these new Locks may be inserted into rock foundations; a sufficient quantity of stone will be obtained from the excavation of Lock pits and intermediate ponds to execute the rubble masonry, hearting and backing of all the Locks upon the line that may require renewal or repair: and what is equally important, this division of work can be done in the best part of the season without stopping the navigation.

Should it be deemed expedient to adhere to the present line of navigation from Centreville to Port Dalhousie, several situations occur where Locks may be advantageously inserted, adjoining and parallel to their present position, and executed in the proper season, without impediment to Canal transit.

Plan No. 9, shews the practicability of a new route between Centreville and Port Dalhousie, all upon flat table land, and in a direct course, between these points, by which a saving of 3 miles 1,121 yards will be effected. The new cut may be converted into a 9 feet navigation. The Locks, waste wears and excavation, can be done upon dry land, without annoyance from water. The foundations laid dry and all the masonry executed in the most favourable seasons, and under the most favourable circumstances.

This line in connexion with improvements upon Port Dalhousie harbour, will render the Welland Canal navigation as direct and perfect as the nature of the country will admit.

Plan No. 10, is a design for a Lock, upon which all the subsequent calculations are founded.

It is proposed to have framed timber for its foundations. The side walls, recesses and wing, to be constructed upon these prepared foundations, where rock does not occur. The superstructure to be solid rubble masonry, lipped and pointed with water cement; all those parts that remain permanently under water to be faced with sheet plank, and securely battened upon each joint, as also the Lock flooring, recesses and platforms. The centre of pressure line at fore bay wall to be secured after a particular design. The side walls to batter considerably upon their face, and to receive support from counterforts, varying in dimensions according to position, nature of foundations, and quality of embankment. The fore bay wall to be raised

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to the level of the upper platform, as shown upon the transverse section A B; by this design considerable pressure is removed from these parts that require the greatest solidity; whereas in the present Locks the upper gates and piers resist a head of water equal with the lower, which tends materially to promote leakage and to diminish their permanence.

Land tunnels of cut stone with face plates of wrought iron, and machinery, are also contemplated. The following estimate will shew the expense of a Lock of 10 feet rise, 110 feet within the chamber, and 24 feet wide.

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*Timber work foundations, lower end.*

8 mud sills, 46 feet each,.....	364 feet.		
2 face and 2 pieces rear,.....	118 "		
2 pieces back of counterfort,.....	60 "		
2 do. lower end of wall,.....	36 "		
10 do. for counterfort and ties,.....	152 "		
Recess 2 x 19 x 12 x 12 inches,.....	38 "		
	— 768 feet.		
Wall timbers 8 feet high,.....	592 "		
do. do. 4 " above,.....	676 "		
Coping timbers bond and back,.....	322 "		
	— 2,358 feet, \$10 per hundred,	235	80
Hollow quoins, mitre braces, sills, king post, and balance beams, 307 ft. at 25 cents,		75	75
One pair gates, present contract rate,.....		250	00
Sheet piling below mitre sill, 1,884 feet, \$6 per hundred,.....		115	4
Pr. excavation for foundation timbers, refilling do. ....		310	74
Side timbers' foundations,.....	4,904 feet.		
Coping do. ....	728 "		
	— 5,632 feet, \$10 per hundred.	563	20
Planking, 2,304 feet, \$5 per hundred,.....		115	20
Excavation for Lock wall, filling, puddling do. ....		705	12
Head of Lock, sills, timber, coping, 1,832 feet, \$10 per hundred,.....		183	20
Mitre sill, gates, and sheeting, as above,.....		441	79
Excavation, foundation timbers, refilling do. ....		185	82
Total expense of timber work,.....		\$ 3,182	65
Equal to, .....		£795	13 2½

*Masonry, one side.*

Upper wing wall,.....	24 x 12 x 4 = 1,152 cubic feet.		
Upper recess,.....	15 x 13 x 4 = 780 " "		
Hollow quoin pier,.....	20 x 10 x 6 = 1,200 " "		
Side wall, battered face,.....	75 x 22 x 5 = 8,250 " "		
Lower pier,.....	10 x 6 x 20 = 1,200 " "		
Lower recess,.....	15 x 5 x 21 = 1,575 " "		
Lower pier,.....	20 x 6 x 21 = 2,520 " "		
Lower return,.....	15 x 4 x 15 = 900 " "		
Nine counterforts, each,.....	12 x 3½ x 6 = 2,268 " "		
	— 19,845 x 2		
=1,470 cubic yards, or 2,426 perches of masonry, a 2s. 2d. for laying, £262 10 4			
Cord of stone, 310, a 7s. 6d.,.....		116	5 0
Lime, 2,400 bushels, a 4d.,.....		40	0 0
Sand, 4,800 bushels, a 1d.,.....		20	0 0
Water cement, 48 barrels, a 10s.,.....		24	0 0
Land tunnels and geering,.....		316	11 5½
Waste wears and sluices,.....		75	0 0
Total of masonry, .....		£854	6 9½
Total of Lock, exclusive of Lock excavation and 10 per cent.,.....		£1,640	0 0

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From the same data a cut stone Lock, with inverted arches for foundations, land tunnels of iron or cut stone, with wrought iron face plates for sluices, and working gear, will cost, exclusive of ten per cent., .....£3,114 12 6

Water line of the best quality is now manufactured at Port Robinson upon the Canal line.

*To improve the present line of the Canal from Port Dalhousie to Centreville, distance 8 miles and 241 yards, the expense will be as follows:*

	£	s.	d.
Lock No 1, proposed to be built near Pauling's Point, with waste wear of solid rubble masonry.....	2,500	0	0
Locks Nos. 2, 3, 4 and 5, of masonry, and waste wears required within two years,	6,600	0	0
Lock No. 6, and waste wears, .....	1,750	0	0
Ten Locks, from 7 to 16, and waste wear, .....	16,500	0	0
Extra expense of foundations, all in connection with water, say £250 for each Lock,	4,000	0	0
<b>Total by present route Centreville, exclusive of 10 per cent., .....</b>	<b>£31,350</b>	<b>0</b>	<b>0</b>

*To make a new line of Canal from Port Dalhousie to Centreville:*

	£	s.	d.
The expense for a 9 feet navigation will be, for Lock No. 1, dimensions 200 feet within the chamber, and 50 feet wide, entrance to Canal and intended dock,	3,650	12	8
Fifteen Locks, at £1,650 each, .....	24,750	0	0
Excavation, 250,500 cubic yards, a 7½d., .....	7,828	2	6
Aqueduct across Saw-mill Brook, .....	4,226	8	3
<b>Total by proposed line, exclusive of 10 per cent., .....</b>	<b>£40,455</b>	<b>3</b>	<b>5</b>
<b>Excess of new route, .....</b>	<b>£ 9,105</b>	<b>3</b>	<b>5</b>

Saving of distance 3 miles and 1121 yards. Distance by present Canal between Port Dalhousie and No. 31 Lock, mountain summit, is 9 miles and 1121 yards. By adhering to the new route all the Locks and works can be made permanent; removed from the valley of the Twelve-mile Creek, the surface of the ground is well adapted for Canal operations, being composed of stiff clay, and having a uniformly smooth surface, with a gentle distance for lockage; the present Canal will facilitate the conveyance of nearly all the building materials to be required; the actual expense, with proper management, ought not to exceed the sum above estimated.

Assuming the new route from Port Dalhousie to Centreville to be the most eligible by which the general navigation may be improved, the following is an abstract estimate of the expense required upon the *whole line of Canal and Feeder*, to render the same permanent:

## ESTIMATE,

*To render Port Dalhousie a capacious and secure Harbour for large steamers, an extension of 1,374 feet of piers must be made upon each side to obtain 18 feet water; this expense according to detailed estimate, calculated at the present rate of doing such work—*

Is, .....	£ 8,140	12	9
Finishing and decking present piers, .....	286	15	3
New Line from Port Dalhousie to Centreville, .....	40,455	3	5
From Centreville to Lock No. 31, common to both routes, 15 Locks & waste wears,	24,750	0	0
Excavation of intermediate ponds, ex. 13,500 cubic yards, a 6d., .....	5,062	10	0
Six Locks from No. 31 to Port Robinson, required by 3 years, .....	9,900	0	0
Two Locks at Chippawa, Port Robinson, and waste wears, required by 2 years,	3,300	0	0
Ship Lock at Dunnville, 200 by 50 feet chamber, .....	3,650	12	8
Dry dock, excavation and gates, 23,110 cubic yards, .....	712	14	6
Additional east pier, Grand River Harbour, 730 feet in extent, .....	981	6	5
Additional east pier at Port Colborne, 1,260 feet, .....	814	5	0
Excavation of Deep Cut, required by the increased trade, 24,200 cubic yards, a 2s. 6d., .....	3,025	0	0
10 per cent. upon this, is, .....	10,107	18	0
<b>Total expense of Canal improvement, .....</b>	<b>£111,186</b>	<b>18</b>	<b>0</b>

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By adhering to the present line, the sum of £102,081 14s. 7d. will be required to effect an improvement of less magnitude and permanence, with an increased length of 3 miles and 1,121 yards.

To construct Locks and waste wears of cut stone of the dimensions above proposed. The estimate by the present route for 39 Locks, including inverts for foundations, where necessary; land tunnels of cut stone or iron, with proper gearing for sluices and gates, embankments, &c. &c. perfect in all their parts, will be, exclusive of 10 per cent., . . . . . £117,471 8 6½

By proposed route, to construct of cut stone the same description of Locks, . . . . . £113,471 8 6½

Distance from Lake to Lake reduced from 27 miles and 1,100 yards, to 24 miles; being the shortest practicable route between the Lakes. Any line of Canal to Queenston, as the route of the Welland is now established, and may be improved, will increase the length 1½ miles; any line to Niagara, will increase the distance 4 miles and 1,000 yards.

I have not entered upon all the details of the actual expense of those lines to Queenston and Niagara, but from authentic data, and from a knowledge of the country, the following approximation will be nearly correct:—

Expense from Lock No. 31, Thorold summit, to Queenston, upon a distance of 7½ miles; excavation at £2,500 per mile, . . . . . £19,375 0 0  
Lockage, corresponding dimensions with the Welland, . . . . . 28,350 12 0

Total estimate expense to Queenston, . . . . . £47,725 12 0

Expense from Lock No. 31, Thorold summit, to Niagara, upon a distance of 10 miles and 1000 yards; excavation at £2,500 per mile, . . . . . £29,204 10 0  
Lockage commensurate with the Welland, . . . . . 28,350 12 0

Total estimated expense to Niagara, . . . . . £57,555 2 0

Upon a comparative review of all the lines estimated above, it appears to the Reporter that the new route proposed in connection between Port Dalhousie and Thorold summit, although not the least expensive, possesses advantages beyond all the others by its direct course, for the necessary purposes of navigation, and by its commanding position for the general benefit of the Province.

*Estimate of the works upon the Canal line at present under contract, and those required to sustain the present navigation during the ensuing season:*

Widening and improving feeder, by Mr. T. Merritt's contract, remains to be done 16,504 cubic yards, . . . . . £ 618 3 4

Work upon feeder, undone by Mr. Donaldson's contract, and upon Canal line between junction and Port Colborne, in all 19,233 cubic yards, . . . . . 1,017 9 6

Contract for immediate repair of Locks Nos. 7, 8, 16, 18, 20, 25 and 27, required to preserve the navigation during the ensuing season, timber and workmanship, . . . . . 883 15 8½

Stone, 1,384 cord, . . . . . 692 0 0

Building walls, . . . . . 1,047 12 0

New Lock gates, sluices, and repair of waste wears, estimated at . . . . . 871 8 2

Total estimate of works at present required, . . . . . £5,130 8 8½

That part of the foregoing estimate is work at present under contract, and under penalty for due fulfilment, all to be executed during the present winter, or before spring navigation opens. This work will render the feeder as perfect as its present depth will permit.

By a due regulation of mill sluices and machinery, upon the feeder, and proper management of the great dam, with its waste sluices, a sufficient volume of water will be obtained from the Grand River, by this increased width, to supply the ordinary demand of navigation for at least six or seven years. So soon as a probable return of revenue will authorize an increased expenditure upon the feeder, the whole extent may be enlarged in width and depth, commen-

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surate with the main Canal; a new route may then be formed in continuation of the present direct course, from Broad Creek to Grand River, near the harbour.

By plan No. 3 it is shewn, that upon making a cut of 1½ miles from Broad Creek to the River, a saving of 9 miles distance may be effected between those points.

A new dam and entrance Lock may be constructed of a permanent character near the harbour, when decay of the present *timber* dam will justify that measure.

Estimated expense of effecting that improvement, and increasing the width and depth of feeder, corresponding with the Ship Canal, will be £62,250.

The second part of the foregoing estimate is for repair of those Locks at present in a state of insecurity. Timber and all material for the execution of the work will be placed upon the site of the respective Locks at a diminished expense, before the close of the navigation.

Temporary delays that have occurred upon the Canal line during the *present* and *former seasons*, point out the necessity of adopting speedy and *efficient measures* to place all the works upon the Canal line beyond the risk of casualties.

This all-important object once accomplished, the navigation will continue to be occupied by an accelerating trade, equal to its capacity of transit.

GENTLEMEN,

I have the honor to remain,  
Your very obedient Servant,

FRANCIS HALL,  
ENGINEER.

Welland Canal Office, St. Catharines,  
October 24th, 1835.

## ENGINEER'S SUPPLEMENTARY REPORT TO COMMISSIONERS.

To DAVID THORBURN, WILLIAM LYON MACKENZIE, and CHARLES DUNCOMBE, *Esquires*,  
*Commissioners appointed, &c. &c. &c.*

GENTLEMEN,

Since I had the honor to submit a general Report respecting the Canal line and works, I have had an opportunity to examine the Locks, waste wears and embankments, and beg leave respectfully to submit the following supplementary report:

My reports to the Board of Directors, of the 19th November, accompanying this, and No. 1 and 4, will explain the nature and extent of the works at present in progress, to which I refer.

Commencing this examination at Port Dalhousie, I find the works at that harbour, and the Locks to No. 7, in the same state as formerly reported. At Lock No. 2, some partial leakage has been observed in the waste wear, which was promptly repaired. At Locks Nos. 3 and 6, new waste wears will require construction, as soon as stone and other materials can be placed upon the ground.

Repair of Lock No. 7, proceeds with as much expedition as practicable. Most of the stone is upon the ground; excavation of the side walls and foundations of this Lock by the Company under Fluellan, and twelve men, is so far advanced that the carpenters and masons are expected to begin by the 1st day of February next. Robert Craig has contracted for building this Lock.

The repair of Lock No. 8, will only be partial, and extend to widening the side walls. Repair upon the ascending Locks to No. 15, will be done in the same manner as No. 8, by widening and replacing decayed and disjointed timbers, where practicable.

Upon Lock No. 16, Fletcher & Co. have the contract for excavation; at present they employ twelve hands, which is as many as the nature of the work will admit. The re-building of this Lock is contracted for by Gilliland & Co.

Lock No. 20, requires to be generally repaired, from the upper hollow quoins downward. The excavation is under contract to John Shore & Co.; they at present employ twelve hands. The building is under contract to John Kerr. The carpenter work of all these Locks is under

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contract to R. Collier. Repair of particular parts of Locks from No. 20 to 31, will be executed by Collier & Moore, who have contracted to do all the carpenter work that may be required to render the Canal navigable by the 1st day of April next, at a fixed rate per hundred feet of timber.

Upon the Locks above 31, no repair of any importance is anticipated during the winter.

Eighteen new sets of gates will be required upon the whole line of the Canal before the end of the present year; and thirteen leaves, or half gates, before the opening of the navigation. The six and a half pair of gates are under contract by Collier & Moore, and timber for the residue should be placed under contract, to be cut and prepared while the sap is down; this timber may all be procured from the Company's lands near the junction.

Foundations of the wooden Locks are generally in a better state of preservation than might have been expected from the distorted appearance of their respective side walls.

The only point of difficulty in the repair of these Locks in winter is the foundations: choosing a favourable and open time for that work is all important: when frost is severe, the softest and least secure foundation assumes an appearance of the greatest consistency: I may here add, although success with these walls cannot altogether be calculated upon, precautions are being taken that will insure their completion in as perfect a manner as the material and season will permit.

Mr. John Vanderburgh, a person in whom I have great confidence for his attention, will superintend the constructors and workmen, and endeavour to carry my designs into effect.

The work at present under contract to Mr. Burger, and Mr. John Donaldson, is in operation. The northern part of Mr. Donaldson's work, near Buyer's Bridge, will effect a double purpose, that of widening the Canal and strengthening a very high and weak embankment; most of his excavation will be applied to a like purpose. Dams are in construction, and preparations making to take out the rock excavation near Gravelly Bay.

A new pair of stop-gates near Gravelly Bay are in progress by Moore. The works and harbour at Gravelly Bay are restored to their solidity and appearance previous to the great gale of November last.

A new bridge at Shotwell's is also in progress, and nearly completed; this with the repair upon the aqueduct, aqueduct bridge, and bridge at Port Robinson, will comprehend all the bridge work for the winter.

By observations upon the line of the feeder since the water was withdrawn, it appears that an inclination occurs from the bottom of the Canal at the junction, to an apex near the bridge west of Marshville; this inclination is regulated by stepping the bottom of the cut at intervals: why this particular method should have been adopted, I have not been able to discover. Near and westward of this bridge, the feeder at bottom descends to Dunnville stop-gates, about 10 miles distant, where water 8 feet deep obtains. The accompanying diagram will more clearly explain this subject.

It is evident that unless the feeder is three times its present width near Marshville, or continued at its present width with a uniform depth, a supply of water for the Canal, corresponding with its head, cannot be expected; therefore deepening at this apex should be attended to with as little delay as possible.

The work at the berm bank has not been generally recommenced; during my last examination the frost was so deep as to prevent a trial of its composition by probing or digging; but it is only necessary to pass along the line to observe that logs have been, in more places than one, substituted for earth; these logs ought all to be removed, and the banks re-formed at the expense of the contractor. Upon this part of the work I would also recommend a vigilant Inspector to be constantly stationed to see the work faithfully performed.

The estimated expense of all the above works is, per detailed statement, 25,382 dollars 71 cents.

I have made a table for the uniform regulation of water for all the mills and machinery upon the Canal line, shewing the area of an aperture in inches that is required to propel one or more saws; one or more run of flouring stones; and the quantity of water required for perfect machinery under any head from 0 to 10 feet.

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By the adoption of this system upon the line a great saving of water will be effected; the Canal levels retained at their proper standard; and those mills that are deficient in proper machinery must either remodel the same or suspend operations.

GENTLEMEN,

I have the honor to be,

Your very obedient Servant,

FRANCIS HALL.

Welland Canal Office, St. Catharines,  
January 14th, 1836.

No. 1.

PRESENTED 19th NOVEMBER, 1835.

(Copy.)

*To the President and Board of Directors of the Welland Canal.*

GENTLEMEN,

I beg leave to submit the following statement respecting the Canal works:

1st.—*Work to be finished, now under contract.*

It appears necessary during the close of the navigation to proceed with the contract under Thomas Merritt, for raising the berm bank from Broad to Cranberry Creeks on the feeder, or so soon as the water can be taken off for that purpose.

Also, that the contract entered into by John Donaldson for widening and deepening the lower end of the feeder, removing rock in the cut to Gravelly Bay, and widening Canal below junction, should be finished during the close of the navigation.

Also, a contract entered into with Thomas Moore to erect a set of guard gates, with all their apparatus, near the rock cutting at Gravelly Bay, the same to be completed during the close of the navigation.

2nd.—*Work necessary to be placed under contract, to have the same finished at the opening of the navigation.*

1st.—Widening and deepening Canal from head of basin, Gravelly Bay, to first guard gate, 400 yards lineal, by 9 feet in height, will require about 5,000 cubic yards, at 15 cents, \$750.

2nd.—The towing path from Dumville to Broad Creek requires raising on an average 1 foot or 18 inches on all low places, to be hereafter estimated and laid out. The time to finish this is when the water is removed from the feeder, and stuff taken from its bottom and off side; estimate 7,000 cubic yards, at 15 cents, \$1,050.

3rd.—There are four new Lock gates required at Port Robinson, two at Thorold, and four more may be required upon other parts of the line. Those at Port Robinson are contracted for by James Moore, and Collier has offered for the others.

4th.—There requires a renewal of Locks Nos. 7, 16, 18, 20 and 25; also repairs of Nos. 8 and 27.

Estimate of Lock No. 7, .....	\$2,131	50	cents.
“ “ “ 16, .....	1,970	15	“
“ “ “ 18, .....	3,915	64	“
“ “ “ 20, .....	2,876	46	“
“ “ “ 25, .....	820	50	“
“ “ “ 8, .....	1,000	00	“
“ “ “ 27, .....	353	30	“

Estimate for Locks, .....\$13,067 55 cents.

5th.—The waste wear at Lock No. 6, requires renewal of stone; estimated expense, \$250.



## APPENDIX G.—(See Journal, page 120.)

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

## STATEMENT

*Of the probable expense for finishing Canal and repairs for the ensuing navigation.*

## UNDER CONTRACT.

1st.—Berm bank, T. Merritt, contractor, .....	\$2,472	66	cts.
2nd.—John Donaldson, contractor, .....	6,542	50	
3rd.—John Moore, guard gates, .....	300	00	
			\$9,315 16 cts.

## TO BE PLACED UNDER CONTRACT.

1st.—Locks as above, .....	\$13,067	55	cts.
*2nd.—Widening and deepening Canal at Gravelly Bay, ..	*750	00	
*3rd.—Towing path, Broad Creek to Dunnville, .....	*1,050	00	
4th.—Lock Gates, .....	1,000	00	
5th.—Waste wears, .....	1,000	00	
6th.—Flue or let-off at Marlatt's, .....	1,000	00	
			17,867 55
Total estimated expense, .....			\$27,182 71 cts.

(Signed) F. HALL.

19th November, 1835.

## ADDENDA TO MR. HALL'S REPORT.

*Cutting and embanking upon Welland Canal, from Thorold summit to Port Dalhousie, taken from Canal sections.*

Sections. Nos.	Cutting.	Embanks.	Puddle	Length.	
				Chains.	Links.
9,	7,751			29	18
10,	4,224			32	
11,	35,026	7,451	999	26	
12,	13,275	1,694	264	26	19
13,	18,139	27,370	9,999	30	
14,	17,997	5,240	695	64	50
15,	97,459			23	} Little deep cut, bottom rock—this cutting might have been avoided by taking the line further east.
16,	70,767			36	
17,	11,432	9,615	4,130	32	
18,	17,022	3,660	569	27	50
	<u>293,092</u>	<u>55,032</u>	<u>16,756</u>		
	55,032				
	16,756				
	<u>364,880</u>				

\* The above marked items not contracted for 12th January, 1836.

## APPENDIX G.—(See Journal, page 120.)

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

APPENDIX G.		<i>Thorold summit, Lock 31, to Port Dalhousie.</i>				
Report of the Select Committee, upon Welland Canal completion bill.	Sections Nos.	Cutting.	Embanks.	Puddle.	Length.	
					Chains.	Links.
	19,	23,238	6,240	3,600	26	
	20,	24,323	4,448	4,680	22	50
	21,	17,489	6,240	3,600	23	50
	22,	20,016	3,120	1,800	28	50
	23,	28,385	4,680	2,700	24	
	24,	5,287	5,038	2,880	26	
	25,	7,007	4,834	2,925	37	
	26,	6,370	3,016	1,956	25	
	27,	3,459	2,154	1,056	24	50
	28,	4,347			24	
	29,	4,475	2,041	1,049	26	50
	30,	8,601	4,969	2,374	28	50
	31,	32,186			39	
	32,	36,596	1,248	900	91	66 } Embanking and puddling one Lock.
	33,	33,862	1,248	900	45	82 } do. do.
	34,	36,596			107	
	35,	6,660	33,440		152	
		<u>289,117</u>	<u>82,716</u>	<u>30,420</u>	<u>751,—48 =</u>	<u>9 miles and 692 y'ds.</u>
		82,716			1,760	
		<u>30,420</u>				

302,253 cubic yards of cutting, embankment and puddling, done upon present line, from Lock, No. 31, Thorold summit, to Port Dalhousie; supposing the expense of lockage to be equal upon present and proposed lines, there would have been a saving of 38,253 cubic yards of earth work, besides 3 miles of distance by adhering to the best practicable route that the country presented.

*Cubical contents from Port Robinson to Port Dalhousie.*

Deep cut to Allanburgh, .....	1,477,700	cubic yards.
Allanburgh to Thorold summit, .....	364,880	" "
Thorold, 31st Lock, to Port Robinson, .....	302,253	" "
	<u>2,144,833</u>	" "
From Port Robinson to Gravelly Bay, .....	430,876	" "
Total on Ship Canal, feeder not included, .....	<u>2,625,708</u>	cubic yards.

FRANCIS HALL,  
ENGINEER.

17th October, 1835.

*By Mr. Lewis,—Estimate of materials for a Lock.*

Bill of timber for a Lock, 23,327 ft. a 5d. per ft., .....	\$1,166	35	cts.
Plank, .....	643 ft. a 5d. per ft., .....	32	15
Bill of iron, .....	1,224 lbs. a 12d. per lb., .....	146	88
Workmanship of .....	23,327 ft. a 3d. per ft., .....	699	81
Do. plank, .....	643 ft. a \$2 per hd., .....	13	00
		<u>\$2,058</u>	<u>19</u> cts.

{ Castings, 220 lbs. ....\$16.  
{ Boards or plank, \$15 per thousand.

## APPENDIX G.—(See Journal, page 120.)

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.**By Benjamin's estimates of Locks and Timber delivered and required.*

APPENDIX G.

No. 5, Lock,

	Counter hewed.	Back timber.	Ties.	Flooring plank.	Mud sills.	Mitre sills.	Boards gates.
Delivered,	4,000 ft.	3,500 ft.	200 ps.	4,000	1,188	10 bts.	
Required,	6,000	5,500	600	4,000		2 m. s.	2,000 ft.
	10,000 ft.	9,000 ft.	800 ps.	8,000 ft.	1,188 ft.	36 ft.	2,000 ft.

Report of the Select Committee, upon Welland Canal completion bill.

No. 6, Lock.

Delivered,	4,000 ft.	3,500 ft.	200 ps.	4,000	1,188	10 bts.	2 m. s.
Required,	6,000	5,500	600	3,366			2,000 ft.
	10,000 ft.	9,000 ft.	800 ps.	7,366 ft.	1,188 ft.	36 ft.	

*Estimate of F. H. upon this data.*

10,000 feet of square timber, <i>a</i> 5 cts. per ft.,	\$500	00	cts.
9,000 " back timber, <i>a</i> 4 cts. "	360	00	
800 ties, each 10 feet, <i>a</i> 2 cts. "	160	00	
8,000 feet plank, <i>a</i> \$15 per thousand,	120	00	
1,188 mud sills, <i>a</i> 4 cts. per	47	52	
36 feet mitre sills, 18 x 18 = 81 ft. <i>a</i> 5 cts. per	4	05	
2,000 " boards gates, \$15,	30	00	
			\$1,221 57 cts.
10 bolts, mitre sills, each 30 inches = 6 lbs. each, <i>a</i> 12 cts.,	7	20	
Spikes for gates, 10 x 16 x 4 spikes 4½ inch = 6 per lb. = 108 lbs. <i>a</i> 12 cts.,	12	96	
Castings, sockets and pivots, 220 lbs. = \$16,	16	00	
Irons, for gate, 1,212 lbs. <i>a</i> 12 cts.,	145	44	
			181 60
Workmanship, 10,000 feet plank, <i>a</i> \$2 per square,	200	00	
Do. 20,224 " of timber, <i>a</i> 3 cts.,	606	72	
8,000 " ties, <i>a</i> 1½ cts.,	120	00	
			926 72
			\$2,329 89 cts.

FRANCIS HALL,  
ENGINEER.*St. Catharines, 23rd September. 1835.*

Whether the Canal can be kept full all winter to supply mills!

Water is seldom found frozen within Locks, under Canal bridges, or in stone or wooden sluices; but spray from the top of gates, or upper sluices, is speedily converted into icicles, that adhere to the back of gates and face of side walls, and renders it difficult to open them after any continued frost.

1st.—If the Canal is filled with water as it is during the summer months, having the lower gates open, the upper gates shut, and the lower sluices *only* open, or regulated partly open, water will pass in sufficient abundance for the supply of all machinery upon the line; the Canal banks will be protected from frost, and only subject to injury from an expansion of surface ice, which may be prevented in the usual way, by reducing the surface one or more feet, after ice of a few inches in thickness has been formed.

The only objection to this plan is, the probability of not having the gates under proper command, in case any unforeseen accident occur about the Locks or elsewhere.

The second plan is, by reducing the present surface to the ordinary current with open Lock gates from Grand River dam through the feeder, regulated by the stop gates at Dunnville, 24 feet in width, and will produce a permanent supply at Marshville of 21½ feet wide, by 3 feet in depth; velocity about 800 yards per hour. This current will pass through the residue of the feeder, by the deep cut to Allanburgh Locks, with a diminished head and velocity, but probably sufficient to keep most of the mills upon the Canal line in motion.

## APPENDIX G.—(See Journal, page 120.)

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

## APPENDIX G.

Report of the Select  
Committee, upon  
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completion bill.

In this case, all the Lock gates are supposed to be open; repair could speedily be effected, but the inside Canal slopes would be exposed to alternate frost and thaws, which are very injurious to the banks.

On the whole, I think the first plan is preferable; it may be tried for a few weeks, by way of experiment; during its continuance, some further improvements may be observed.

FRANCIS HALL,  
ENGINEER.

Grand River, 10th September, 1835.

## SECOND REPORT,

Of the Select Committee to whom was referred the Petition of the President and Directors of the Welland Canal Company.

TO THE HONORABLE THE HOUSE OF ASSEMBLY.

THE COMMITTEE to whom was referred the Petition of the President and Directors of the Welland Canal Company, with other documents relating to that work, beg leave to make a further report:

That the Stock of the Welland Canal Company amounts to £250,300, held as follows:

Private Stockholders, .....	£117,800
Province of Upper Canada, .....	107,500
Province of Lower Canada, .....	25,000
	£250,300

The names of the Stockholders, with the amount held by each, is contained in the annexed list, marked C.

The whole amount expended upon the Canal, hydraulic works, &c. up to the 1st January, 1836, was £434,833 13s. 11½d. as appears by the balance-sheet A, made out by Mr. Cameron, Accountant to the Canada Company, and Mr. Murray, Book-keeper to the Bank of Upper Canada, assisted by Mr. Beaton, Book-keeper to the Welland Canal Company; and the amount expended during the present year was .....

£ 20,128 14 2½	
Less cash on hand, .....	£1,926 16 0
Advanced on contracts, .....	1,516 5 11½
	3,443 1 11½
	£ 16,685 12 3¼

As appears by balance-sheet B, made out by the Secretary of the Company from their books; thus making the whole cost of the work, .....

The funds to meet the above expenditure, it appears, have been raised from the following sources:

Stock paid in, .....	£250,300 0 0
Forfeited Stock, .....	540 0 0
	£250,840 0 0
7th Geo. IV. chap. 20, loaned by the Province in 1826, .....	25,000 0 0
11th Geo. IV. chap. 11, loaned by the Province in 1830, .....	25,000 0 0
1st Wm. IV. chap. 18, loaned by the Province in 1831, .....	50,000 0 0
	100,000 0 0
Loaned by the British Government, .....	55,555 11 2
Other items contained in balance-sheet A, .....	28,438 2 9½
Items in balance-sheet B, .....	16,685 12 3¼
	£451,519 6 2¾

The direct increase of revenue to the Province—evident from the fact that in the year 1824, the duties received at the ports of Chippawa and Fort Erie amounted to £30 15s. 9½d. while in the year 1835, the duties at these ports amounted to £1,068 14s. 7½d.—is, in the opinion of your Committee, attributable in a great degree to the construction of the Welland Canal, which has introduced a considerable population with a large capital in that part of the Province,

## APPENDIX G.—(See Journal, page 120.)

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

expended upon and in the neighbourhood of the works. In 1824, but one manufacturing flouring mill was erected in the District of Niagara; there are now four additional ones upon the Canal, erected at a cost little short of £20,000, with mills for 30 saws, together with furnaces and other machinery: in all worth perhaps £50,000; in addition to which, upon the whole line of the Canal, houses and other erections are built, costing quite as much.

The increase of the value of land in the immediate neighbourhood, and all above, it is impossible for your Committee to estimate with any degree of certainty. Your Committee are, however, fully impressed that the construction of this great and most important work has already added thousands and thousands of pounds to the value of the Province, and to an extent far exceeding the amount of the outlay in principal and interest.

As to the value of the hydraulic powers with the erections thereon, together with the lands, houses, &c.—detailed in the testimony of Mr. McDonell, hereto annexed, and of which Mr. McDonell gives a very flattering account, (and which your Committee cannot consider as exaggerated)—no correct opinion can be formed. The amount which will be required to be paid for the hydraulic and other erections not now owned by the Company, in the event of their being vested in the Province, can however be ascertained by the Commissioners to be appointed for the management and superintendence of the Canal, in behalf of the Province; and the Committee understand that the present proprietors are willing to leave the valuation either to arbitrators, to be indifferently named, or to the judgment of the Commissioners alone. The amount, your Committee are assured, cannot exceed £20,000.

For the purchase of the private Stock, Debentures are required to be issued, redeemable in 20 years, without interest, till 1840, at which time 3 per cent. will be required to be paid, amounting to .....£3,534 0 0  
 In 1841, 4 per cent. amounting to ..... 4,712 0 0  
 1842, 5 per cent. amounting to ..... 5,890 0 0  
 1843, 6 per cent. amounting to ..... 7,068 0 0

And thereafter a like sum annually until the redemption of the bills; when the tolls received shall amount to £25,000 in any one year, the further sum of 3 per cent. on the stock, amounting to £3,534 is required to be paid annually, till the receipt of the tolls shall amount to £50,000, when 6 per cent. on the amount of the Stock is to be paid, amounting to £7,068 annually, until the interest in arrear upon the Stock from the time of the investment, shall be fully paid. The interest on the private investments may be calculated from about 1826.

From the peculiar situation of the Canal, being by far the shortest and most direct route between the Lakes, it must, when completed, and the confidence of the public is insured, be the greatest channel through which the supplies for the west and the return products of the soil will be transported, yielding a revenue quite beyond the power of your Committee to estimate, and fully equal to meet the expenditure which has already been incurred, and which may yet be required to complete it.

There does not appear, from the information laid before the Committee, any claims for damages remaining unsettled to any considerable extent.

The amount due by the Company is as follows:

To the Bank of Upper Canada, .....	£ 4,500	0	0
To the Commercial Bank, .....	1,500	0	0
Notes issued, .....	8,115	15	0
From which deduct, provided by Act of last Session, .....	£2,000	0	0
Advanced on contract, (see No. 1.) .....	516	5	11½
Cash in hand, (balance-sheet B.) .....	1,926	16	0
			<hr/>
	5,443	1	11½
			<hr/>
	£ 8,672	13	0½

The amount required for temporary repairs to keep the navigation open during the next season, as per Mr. Hall's estimate, No. 2, will be .....	14,100	9	11
			<hr/>
	£22,773	2	11½

APPENDIX G.

Report of the Select Committee, upon Welland Canal completion bill.

## APPENDIX G.—(See Journal, page 120.)

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

APPENDIX G.

Your Committee are of opinion, they cannot safely estimate the sum required as above at less than £25,000.

Report of the Select Committee, upon Welland Canal completion bill.

The sum necessary, under any circumstances, to make the Canal a complete and permanent work, your Committee, from the reports of Judge Wright and Mr. Hall, and from their own inspection, cannot venture to estimate at any thing less than £200,000. This is under the expectation that the Locks be made of stone, and the width extended two feet beyond their present dimensions. This expenditure to take place in three years.

The amount therefore required to make the Canal strictly a public work, with all the hydraulic property attached to it; make the necessary temporary repairs; and complete the work in a permanent manner, will be:

For the purchase of the private Stock, .....	£117,800	0	0
To repay the proprietors on the hydraulic works, say .....	20,000	0	0
For debts and temporary repairs, .....	25,000	0	0
For completing the Canal permanently, .....	200,000	0	0
The amount already expended upon the work, as hereinbefore stated, ....	451,519	6	2½
Probable cost of the Canal when completed, .....	£814,319	6	2½

By the proposed arrangements, you not only obtain the whole property in the Canal as a navigable communication between the Lakes, but you acquire the immensely and increasing valuable hydraulic works, which will undoubtedly produce a very large per-centage on the cost.

Your Committee is of opinion, that although it may be advisable to appropriate at once the full amount required to make the work permanent, in order that the public may have the necessary assurance that the Legislature is determined to complete and support the work in a manner commensurate with the trade of the country; the sum of £100,000 will be sufficient for the ensuing year to pay for the hydraulic improvements, discharge the debts of the Company, make the necessary temporary repairs, and authorise the expenditure of £55,000 towards re-building the proposed Stone Locks.

By this proceeding a sum of *six thousand pounds* only for interest will be required to be advanced, and the tolls to be raised from the Canal will no doubt meet this expenditure.

All which is respectfully submitted,

JONAS JONES,  
CHAIRMAN.

Committee Room, 17th December, 1836.

## APPENDIX.

MONDAY, 12th DECEMBER, 1836.

Committee met.

ALEXANDER McDONELL, Esquire, *Vice President of the Welland Canal Company*—Examined.

*Quest. 1.*—Can you give a statement of the property at this time owned by the Company?

*Ans.*—The LANDED PROPERTY consists—

1st.—Of 12 acres of land at Dunnville, (Grand River Dam,) on which a grist mill, carding machine, and six saw mills are now erected on lease. This place is situated five miles from Lake Erie. It commands an extent of country of many miles; no stream leads into the Lake for 25 or 30 miles on either side of it; the River is level for 16 miles, and navigable for rafts, &c. 100 miles above in the spring and fall; and the banks abound with valuable timber and gypsum of the best description.

2nd.—15,000 acres adjoining the Canal in Wainfleet and Humberstone. This land is situated on either side of the Canal, and is the richest soil in this part of the country. A village is already laid out in the centre of this tract, named Marshville, (now called Milton,) where there is a grist and saw mill erected, with 14 feet fall of water.

3rd.—5 acres at and below the aqueduct over the Welland River.

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SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

APPENDIX G.

4th.—75 acres at Port Robinson, on which a Town plot is laid out and some lots sold. It is a commanding situation, at the junction of the Canal with the Welland; having that River navigable for 30 miles above and  $9\frac{1}{2}$  below, where it intersects the Niagara. It is pleasantly situated; and it is hoped, will have a daily line of packets the ensuing season passing to and from Buffalo and the Grand River Dam.

Report of the Select  
Committee, upon  
Welland Canal  
completion bill.

5th.—70 acres at Allanburgh, (foot of the Deep Cut,) on which a saw mill, grist mill, carding machine, fulling mill, furnace, shingle mill, lath mill, and other machinery are now erected. This will also be a commanding situation, from the hydraulic power it possesses; being the first fall where the water can be used for the purpose of machinery, and afterwards brought into a lower level of the Canal. A Village is already laid out at this place, and from its being surrounded by a rich and populous country, there is every reason to anticipate a rapid growth.

6th.—100 acres at the reservoir, near the Village of Thorold. There are two grist mills, containing six run of stones, erected at this place; four saw mills, a carding machine, a fulling mill, &c.

There are likewise in operation, a saw mill, with two saws, near Centreville; four grist and four saw mills, pail factory and turning lathe at and near St. Catharine's; and a saw mill at Port Dalhousie.

A brief outline of the advantages which it possesses, is shown from the following statement:—

*Hydraulic situations.*

The Niagara Peninsula, which separates Lakes Erie and Ontario, is composed of two table lands; the first extending from Lake Erie to the Mountain Ridge, running in a line from Niagara Falls as far up as Patterson's Creek, (Long Point,) a distance of 90 miles, including the townships of Bertie, Willoughby, Crowland, Humberstone, Wainfleet, Moulton, Canboro', Walpole, Rainham, and part of Woodhouse; and on the opposite side of the Welland River, Stamford, Thorold, Pelham, Caistor, Gainsboro', and Binbrooke. The second table land, below the Mountain Ridge, continues from Niagara to Dundas Creek, at the head of Burlington Bay, a distance of about 60 miles, comprising the townships of Niagara, Grantham, Louth, Clinton, Grimsby, Saltfleet, and part of Barton.

The River Welland being almost a dead level, and running parallel with Lake Erie through nearly the centre of this peninsula, there is not a single stream affording a continual or steady supply of water for an extensive flouring establishment within the territory above described, except the Grand River. It is bounded by the Niagara River on the one side, and by Patterson's Creek, (which empties into Lake Erie,) and Dundas Creek (a tributary of Burlington Bay,) on the other; both of which are durable streams of considerable power.

The western country above this to a great distance, and the American side opposite, are likewise destitute of water-privileges to any extent; and this is the nearest and most convenient point to which their merchants and traders can resort for manufacturing purposes on a scale commensurate with their wants. It is not necessary, however, to take so extended a view of the advantages and importance of the hydraulic power on the line of this Canal. A similar instance in the State of New York will suffice for example. The small stream leading from Crooked to Seneca Lake, in the County of Yates, only six miles in length, has already flouring mills erected upon its banks, within sight of each other, the whole distance; and no one contains less than three run of stones. Here the country generally is in a good state of cultivation, and the soil and climate peculiarly adapted to the growing of wheat; consequently, an immediate and increasing demand exists for the erection of mills and machinery of every description.

The extent of water power is unlimited. The principal situations on the first level are at the Grand River Dam, (the point where the Ship Canal will hereafter enter Lake Erie;) at Marshville; at Robinson; and at Allanburgh, (where the first descent takes place.) The next are at Thorold, (where the water is brought round four Locks.) From thence it passes half-way down the mountain, in rear of the Locks; it then crosses the Canal, and is taken to St. Catharine's on the other side, in a distinct raceway or ditch. Thus, in the whole descent of 346 feet, the water may be used for machinery on each level successively, *wholly independent of the Canal*; so that the works will not be liable to interruption, even should the water be drawn off the main levels for the purpose of making repairs.

APPENDIX G.—(See *Journal*, page 120.)

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

APPENDIX G.

Report of the Select  
Committee, upon  
Welland Canal  
completion bill.*Quest. 2.*—What portion of this has been disposed of; to whom; and upon what conditions?

*Ans.*—This property was originally sold to the late J. B. Yates, Esq. payable in ten years, with interest annually,—the object of disposing of it being more immediately to create an impetus to trade, by machinery, and thereby increase the transit on the Canal. The cause of the sale arose from circumstances purely accidental, and need not now be made a subject of remark. The sum at which they were disposed of being £25,000—a scrupulous disposition of the property was held necessary by Mr. Yates, who had disposed of one-third to myself, but still held the control through me. Before the re-sale of the property, very little land had been sold, and but a few water-privileges rented.

In 1834, the Company agreed to pay the Partnership then formed, the sum of £17,500 in forty years, with interest, together with the property at Gravelly Bay, and Allanburgh, subject to the confirmation or rejection of the House of Assembly, during their ensuing session. The requisite titles were then made for the purpose of confirming the agreement, and regularly executed.

[*Witness here handed in the Article of Agreement, appended, marked G.*]*Quest. 3.*—What does the property of the Company now consist of?

*Ans.*—It consists of what is contained in my answer to Question No. 1, with the exception of about 300 acres of land sold in Wainfleet, and perhaps 10 acres at Port Colborne, Allanburgh, Thorold, and on the line. The most of the purchase money is now due; not over £200 having been received by the Company on those sales.

*Quest. 4.*—What is the value of the Hydraulic privileges, without reference to the improvements made upon them?

*Ans.*—The value may be inferred from the rents now actually received, which rents amount to £1,087 10s. as shewn from the following return, made by Mr. Beaton, from the Books of the Company, which I now hand in to the Committee, marked H. But when we reflect on the extent of those privileges, on a fall of nearly 340 feet, and that the water is capable of being used, over and over, every 10 or 20 feet, and returned to the Canal without injury, in my opinion, the water-power alone will yield the interest, or at least £100,000.

*Quest. 5.*—What is the value of the improvements made, and now owned by the Company?

*Ans.*—I cannot answer this question with accuracy; but I should consider the value of the Flouring Mill, with two run of stone, below St. Catharines, and Saw-Mill, equal to...£1,000  
At Marshville,..... 1,000  
Two Storehouses at Dunnville, Port Robinson, (now a plaster mill,) and at Port Dal-  
housie,..... 300  
Six Houses on line of Canal, and the Farm at Vanderburg's, of A. Phelps,..... 1,200  
£3,500

There were various other outlays for draining lands, roads, providing materials, &c. which tended to increase the value of the whole property, which cannot be enumerated; say actually £3,500.

*Quest. 6.*—What is the value of improvements made by the present holders, which would require to be paid in order to have the same invested in the Company?

*Ans.*—Those improvements consist in the erection at Gravelly Bay, on Lot No. 27—two warehouses; flouring mill, two run stone; saw mill, on an extended scale; carding and fulling machine; steam engine; ditching and clearing, of which a detailed account of expenses will be proved; say about..... £6,000  
At Allanburgh the expenses were kept in a general account; erections of houses which are on lands not purchased from the Company; therefore would prefer having the erections or buildings on this place valued by two disinterested individuals named by the parties.

There has also been expended by Mr. Yates, at Marshville, Butler's Mills, ditching land, roads, and material, on the entire line of Canal, of which an account will be furnished, not exceeding..... 5,000

Making in all, except Allanburgh, about..... £11,000



APPENDIX G.—(See Journal, page 120.)

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

Quest. 7.—What is the present income for rents of property leased by the Company?

Ans.—This is shown by return in answer to question 4.

APPENDIX G.

Quest. 8.—What is the present income held by others, which it is proposed to have vested in the Company?

Report of the Select Committee, upon Welland Canal completion bill.

Ans.—This cannot be answered with any degree of accuracy, as the property, having all been recently erected and held by the Hydraulic Company, has not been offered on rent.—\$3,000 per year has been offered for the erections at Gravelly Bay. If the object is to arrive at the value of this property, I would merely observe, that in addition to those erections above named, for which the actual outlay was made, there is held at Gravelly Bay a town plot, consisting of 140 acres of land laid out into village lots, also at Allanburgh, the value of which would be underrated at ..... £25,000  
 And I feel satisfied, that on the opposite side, the water power alone would bring that money,..... 25,000  
 Making the property alone equal to..... £50,000

However, in reply to question No. 4, I have stated the whole amount of the property which was heretofore held by Mr. Yates at £100,000; all of which his Executors offer to relinquish for their actual expenditure.

(Signed) ALEXANDER McDONELL.

APPENDIX G.—(See Journal, page 120.)

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

APPENDIX G.

Report of the Select Committee, upon Welland Canal completion bill.

A.  
WELLAND CANAL COMPANY'S BALANCE SHEET,

From the formation of the Company, to the close of the year 1835.

Dr.		Cr.	
FOLIO.	£ s. d.	FOLIO.	£ s. d.
5	To Yates & McIntyre,.....	1	By Capital Stock,.....
5	" W. H. Merritt,.....	4	" Bank of Upper Canada,.....
6	" Bosanquet & Co. ....	7	" British Government,.....
6	" Ellice & Co. ....	10	" Donations,.....
7	" Agency,.....	16	" Exchange,.....
8	" Contingencies,.....	17	" Toll and Forwarding, 1831,.....
9	" Estimate,.....	11	" Loans from Government,.....
10	" Awards by Arbitration,.....	11	" Rents,.....
11	" Interests,.....	23	" Toll, 1834,.....
11	" N. Blackmore,.....	23	" Toll, 1835,.....
12	" Engineers,.....	23	" George Keefer, Senior,.....
13	" Real Estate,.....	23	" James Davis,.....
14	" Salaries,.....	24	" Lands and Hydraulic Rents,.....
19	" Cash,.....	24	" Toll, 1832,.....
20	" Profit and Loss,.....	24	" Toll, 1833,.....
21	" Storerooms,.....	27	" Bank of Upper Canada—Loan account,.....
22	" Steam Dredge,.....	27	" George Smith,.....
22	" Office at Port Colborne,.....		
22	" Office at St. Catharines,.....		
22	" Steam-Boat Caroline,.....		
23	" Collectors of Toll, (1835) .....		
23	" Grand River Claims,.....		
25	" Debits—Toll, 1832,.....		
25	" Schooner Cartwright,.....		
26	" Forwarding, 1831,.....		
26	" Debits for do. and Toll, 1831,.....		
26	" Suspense Account,.....		
	£ 434,833 13 11½		£ 434,833 13 11½



## APPENDIX G.—(See Journal, page 120.)

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

APPENDIX G.

C.

## LIST OF STOCKHOLDERS.—January 1st, 1835.

Report of the Select  
Committee, upon  
Welland Canal  
completion bill.

NAMES OF STOCKHOLDERS.	RESIDENCE.	SHARES.	AMOUNT.			TOTAL.					
			£	s.	D.	£	s.	D.			
Government of .....	Upper Canada,...	4,000	50,000	0	0	107,500	0	0			
Do. Commissioners...	Of 1833,.....	600	7,500	0	0						
Do. New Stock,....	Of 1834,.....	4,000	50,000	0	0						
Hon. J. H. Dunn, .....	Toronto,.....	20	250	0	0	3,712	10	0			
H. J. Boulton, .....	do. ....	20	250	0	0						
William Allan, .....	do. ....	20	250	0	0						
J. Beverley Robinson, .....	do. ....	20	250	0	0						
Joseph Wells,.....	do. ....	20	250	0	0						
D'Arcy Boulton, .....	do. ....	10	125	0	0						
J. G. Bethune, .....	Cobourg,.....	1	12	10	0						
James Gordon, .....	Amhersiburgh,...	3	37	10	0						
John McGregor, .....	do. ....	3	37	10	0						
W. Berezy, .....	do. ....	2	25	0	0						
Alexander McGregor, .....	do. ....	3	37	10	0						
D. Pastorius, .....	do. ....	2	25	0	0						
J. B. Maçon, .....	do. ....	2	25	0	0						
D. Fisher, .....	do. ....	1	12	10	0						
William Gibbons, .....	Pickering,.....	5	62	10	0						
C. Berezy, .....	Sandwich,.....	2	25	0	0						
W. H. Merritt, .....	St. Catharines,...	38	475	0	0						
John Donaldson,.....	do. ....	15	187	10	0						
Alexander McDonell,.....	do. ....	20	250	0	0						
Thomas Butler,.....	Niagara,.....	20	250	0	0						
Ogden Creighton,.....	Falls of Niagara,..	50	625	0	0						
George Keeler,.....	Thorold,.....	20	250	0	0						
		297									
Government of .....	Lower Canada,...	2,000							25,000	0	0
C. F. Alywin,.....	Quebec,.....	2	25	0	0						
Henry Black,.....	do. ....	2	25	0	0						
J. O. Brunnette,.....	do. ....	4	50	0	0						
W. Budden,.....	do. ....	4	50	0	0						
Rev. R. R. Barrage,.....	do. ....	5	62	10	0						
Edward Burroughs,.....	do. ....	10	125	0	0						
Robert Cairns,.....	do. ....	4	50	0	0						
Archibald Campbell,.....	do. ....	4	50	0	0						
James Carey, .....	do. ....	4	50	0	0						
Thomas Carey,.....	do. ....	2	25	0	0						
Martin Chinic,.....	do. ....	2	25	0	0						
A. W. Cochrane, .....	do. ....	8	100	0	0						
W. B. Cotman, .....	do. ....	10	125	0	0						
Thomas Douglas,.....	do. ....	2	25	0	0						
Dr. Thomas Fargues, .....	do. ....	8	100	0	0						
Fisher & McLeod,.....	do. ....	2	25	0	0						
John Fraser,.....	do. ....	4	50	0	0						
Noah Freer,.....	do. ....	20	250	0	0						
Hanond Gowan,.....	do. ....	10	125	0	0						
Thomas Graham,.....	do. ....	4	50	0	0						
John Hale, .....	do. ....	10	125	0	0						
Hancox & Cringan,.....	do. ....	4	50	0	0						
James Hunt, .....	do. ....	8	100	0	0						
James Irvine,.....	do. ....	20	250	0	0						
Colonel Johnston,.....	do. ....	10	125	0	0						
John Jones, junr.,.....	do. ....	2	25	0	0						
J. Leacroft, .....	do. ....	10	125	0	0						
John McCallum, .....	do. ....	4	50	0	0						
Louis Massue,.....	do. ....	12	150	0	0						
James McTavish,.....	do. ....	5	62	10	0						

## APPENDIX G.—(See Journal, page 120.)

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

NAMES OF STOCKHOLDERS.		RESIDENCE.	SHARES.	AMOUNT.			TOTAL.		
				£	s.	D.	£	s.	D.
APPENDIX G.									
Report of the Select Committee, upon Welland Canal completion bill.									
A. S. W. Mountain,.....	Quebec,.....	8	100	0	0				
Samuel Neilson,.....	do. ....	4	50	0	0				
Patersons Weir,.....	do. ....	10	125	0	0				
Peter Paterson,.....	do. ....	2	25	0	0				
Michael H. Percival,.....	do. ....	4	50	0	0				
William Phillips,.....	do. ....	4	50	0	0				
Charles F. Roi,.....	do. ....	4	50	0	7				
H. W. Ryland,.....	do. ....	10	125	0	0				
Thomas A. Stayner,.....	do. ....	10	125	0	0				
Jos. P. Shaw,.....	do. ....	10	125	0	0				
John Stewart,.....	do. ....	5	62	10	0				
A. A. Sturch,.....	do. ....	5	62	10	0				
Thomas Stott,.....	do. ....	10	125	0	0				
Benjamin Tremain,.....	do. ....	2	25	0	0				
John Anderson,.....	do. ....	2	25	0	0				
William Burns,.....	do. ....	4	50	0	0				
Hon. W. Bell,.....	do. ....	5	62	10	0				
James Bell,.....	do. ....	4	50	0	0				
Francis Bell,.....	do. ....	4	50	0	0				
N. Douglas,.....	do. ....	25	312	10	0				
		328				4100	0	0	
Horatio Gates & Co.,.....	Montreal,.....	40	500	0	0				
J. O. Moffatt,.....	do. ....	5	62	10	0				
George Moffatt,.....	do. ....	10	125	0	0				
K. McK. Moffatt,.....	do. ....	5	62	10	0				
Forsyth, Richardson & Co.,..	do. ....	50	625	0	0				
Maitland, Garden & Co.,.....	do. ....	35	437	10	0				
Hart Logan & Co.,.....	do. ....	50	625	0	0				
John Torrance,.....	do. ....	20	250	0	0				
F. W. Ermatinger,.....	do. ....	10	125	0	0				
F. Leonard & Co.,.....	do. ....	2	25	0	0				
Robert Forrest & Co.,.....	do. ....	5	62	10	0				
H. Russel & Co.,.....	do. ....	5	62	10	0				
S. Hatt,.....	do. ....	10	125	0	0				
S. Hatt, junr.,.....	do. ....	5	62	10	0				
Margaret Hatt,.....	do. ....	5	62	10	0				
Augustus Hatt,.....	do. ....	5	62	10	0				
Matilda Hatt,.....	do. ....	5	62	10	0				
Emily Hatt,.....	do. ....	5	62	10	0				
Richard Hatt,.....	do. ....	5	62	10	0				
Mary Hatt,.....	do. ....	5	62	10	0				
Thomas Clark Hatt,.....	do. ....	5	62	10	0				
John Millichap,.....	do. ....	5	62	10	0				
J. Elmsley,.....	do. ....	12	150	0	0				
— Hart,.....	do. ....	5	62	10	0				
Rev. R. Whitewell,.....	do. ....	15	187	10	0				
John Molson, junr.,.....	do. ....	5	62	10	0				
Jacob De Witt,.....	do. ....	5	62	10	0				
B. A. Goldsmidt,.....	do. ....	100	1250	0	0				
Moses Hart,.....	do. ....	18	225	0	0				
H. Dickenson,.....	do. ....	1	12	10	0				
Mary Hale,.....	do. ....	1	12	10	0				
G. Davis,.....	do. ....	12	150	0	0				
William Dawson,.....	do. ....	90	1125	0	0				
John Hornby,.....	do. ....	100	1250	0	0				
Samuel Gale,.....	do. ....	100	1250	0	0				
James Lesslie,.....	do. ....	10	125	0	0				
Harwood & Sons,.....	do. ....	2	25	0	0				
Alexander Miller & Co.,.....	do. ....	10	125	0	0				
		778				9725	0	0	

## APPENDIX G.—(See Journal, page 120.)

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

APPENDIX G.

Report of the Select  
Committee, upon  
Welland Canal  
completion bill.

NAMES OF STOCKHOLDERS.	RESIDENCE.	SHARES.	AMOUNT.			TOTAL.		
			£	s.	d.	£	s.	d.
Yates & McIntyre,.....	New York,.....	720	9,000	0	0			
William Macleod,.....	do. ....	200	2,500	0	0			
Frederick Franks,.....	do. ....	260	3,250	0	0			
John Hone,.....	do. ....	100	1,250	0	0			
James Swiney,.....	do. ....	40	500	0	0			
Theodore Wood,.....	do. ....	20	250	0	0			
E. Seaman,.....	do. ....	85	1,062	10	0			
J. B. Yates,.....	do. ....	70	875	0	0			
Archibald McIntyre,.....	do. ....	500	6,250	0	0			
Seaman, Tobias & Co.,.....	do. ....	445	5,562	10	0			
N. Kortright,.....	do. ....	140	1,750	0	0			
D. Henderson,.....	do. ....	20	250	0	0			
D. D. Campbell,.....	do. ....	500	6,250	0	0			
V. P. Don,.....	do. ....	30	375	0	0			
Henry Yates,.....	do. ....	1,210	15,125	0	0			
Retreat for Insane,.....	do. ....	400	5,000	0	0			
Lombard Association,.....	do. ....	50	625	0	0			
W. Seymour,.....	do. ....	260	3,250	0	0			
Thomas R. Mercer,.....	do. ....	200	2,500	0	0			
Maitland, Kennedy & Co.,...	do. ....	200	2,500	0	0			
William Creighton,.....	do. ....	75	937	10	0			
R. Kortright,.....	do. ....	20	250	0	0			
Peter Schermerhorn, (Ogden Creighton, transfer'd)		25	312	10	0			
		5,570				69,625	0	0
Tomas Merrit, junr.,.....	New Brunswick,..	20	250	0	0			
N. Merritt,.....	do. ....	20	250	0	0			
		40				500		00
Earl of Dalhousie,.....	England,.....	20	250	0	0			
Charles Day,.....	do. ....	42	525	0	0			
Sir Francis Burton,.....	do. ....	8	100	0	0			
Duke of Wellington,.....	do. ....	50	625	0	0			
Right Hon. W. Huskisson,...	do. ....	20	250	0	0			
Right Hon. H. Goulbourn,...	do. ....	10	125	0	0			
Lord F. R. Gower,.....	do. ....	10	125	0	0			
R. W. Hay,.....	do. ....	10	125	0	0			
Sir H. Taylor,.....	do. ....	5	62	10	0			
Sir H. Hardinge,.....	do. ....	10	125	0	0			
Lord Beresford,.....	do. ....	50	625	0	0			
Alexander Baring,.....	do. ....	100	1,250	0	0			
Right Hon. R. W. Horton,...	do. ....	10	125	0	0			
T. Wilson,.....	do. ....	100	1,250	0	0			
T. Wilson,.....	do. ....	40	500	0	0			
H. Bliss,.....	do. ....	150	1,875	0	0			
A. W. Roberts,.....	do. ....	50	625	0	0			
T. Telford,.....	do. ....	20	250	0	0			
James Putnam,.....	do. ....	60	750	0	0			
James Pritt,.....	do. ....	10	125	0	0			
John Horuby,.....	do. ....	50	625	0	0			acquired 100 more.
R. Barclay,.....	do. ....	100	1,250	0	0			
George Mayer,.....	do. ....	5	62	10	0			
W. Myers,.....	do. ....	10	125	0	0			
Francis Jordan,.....	do. ....	20	250	0	0			
John Ewart,.....	do. ....	20	250	0	0			
Joseph Langton,.....	do. ....	10	125	0	0			
Alexander Nimmo,.....	do. ....	10	125	0	0			
Lewis Bliss,.....	do. ....	60	750	0	0			
S. Bosanquet, (none),.....	do. ....	20	250	0	0			B. & Co. 100.
T. Pitt,.....	do. ....	20	250	0	0			
J. H. Anderson,.....	do. ....	20	250	0	0			
C. Franks,.....	do. ....	20	250	0	0			

## APPENDIX G.—(See Journal, page 120.)

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

APPENDIX G.

NAMES OF STOCKHOLDERS.	RESIDENCE.	SHARES.	AMOUNT.			TOTAL.		
			£	s.	d.	£	s.	d.
S. W. Bosanquet, (none),.....	England,.....	20	250	0	0			
Rev. R. Blacow,.....	do. Liverpool,	320	4000	0	0			
D. Willink,.....	do. ....	20	250	0	0			
Lord Downes,.....	do. ....	10	125	0	0			
Robert Lewin,.....	do. Bolton,...	30	375	0	0			
E. Fletcher,.....	do. ....	90	1125	0	0			
James Alexander,.....	do. ....	90	1125	0	0			
John Schoolbred,.....	do. ....	90	1125	0	0			
Henry Porcher,.....	do. ....	100	1250	0	0			
Rev. G. Porcher,.....	do. ....	100	1250	0	0			
Edward Ellice,.....	do. ....	100	1250	0	0			
Colonel Addison,.....	do. ....	100	1250	0	0			
Susan Addison,.....	do. ....	8	100	0	0			
Caroline Addison,.....	do. ....	10	125	0	0			
Emma Addison,.....	do. ....	20	250	0	0			
Philip Gowan,.....	do. ....	50	625	0	0			
William Holloway,.....	do. ....	10	125	0	0			
Major Pringle Taylor,.....	do. ....	53	662	10	0			
Hon. G. C. Agar,.....	do. ....	50	625	0	0	30,137	10	0
		2411				£250,300	0	0

Report of the Select Committee, upon Welland Canal completion bill.

## ABSTRACT.

STOCKHOLDERS.	SHARES.	AMOUNTS.		
		£	s.	d.
Government of Upper Canada, .....	8600	107,500	0	0
Individual Stockholders in Upper Canada, .....	297	3,712	10	0
Government of Lower Canada, .....	2000	25,000	0	0
Individual Stockholders in Quebec,.....	328	4,100	0	0
Do. do. Montreal,.....	778	9,725	0	0
Do. do. New-York, .....	5570	69,625	0	0
Do. do. New-Brunswick,.....	40	500	0	0
Do. do. England, .....	2411	30,137	10	0
	20,024	£250,300	0	0

## D.

## WELLAND CANAL.

*Estimate of Work at present under Contract.*

Port Dalhousie Harbour,.....	£.240	0	0
Bridge near Lock No. 2, .....	100	0	0
Waste Wear at No. 3, .....	489	10	3½
Swing Bridge at No. 5,.....	50	0	0
Waste Wear at No. 6, .....	320	0	0
Sluice at Marlett's, .....	240	15	4
Stop-Gates at Allanburgh and Port Robinson, .....	450	0	0
Abutment for Chippawa Aqueduct,.....	785	1	6
Re-building 7 Locks, including Timber, Stone, Transportation and Workmanship, at Contract rates,.....	10,275	2	9¼
Repair of Locks from No. 1 to Port Robinson,.....	1,150	0	0
	Or \$56,402	£14,100	9 11

## APPENDIX G.—(See Journal, page 120.)

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

APPENDIX G.

E.

*To the President and Board of Directors of the Welland Canal Company.*Report of the Select  
Committee, upon  
Welland Canal  
completion bill.

GENTLEMEN,

At the close of the navigation for the season, I beg leave to present a Report upon the present state of the works and repairs in progress.

The piers at Port Dalhousie, injured by the severe gale of the 16th June last, are nearly repaired, and the surface planking will be executed by the middle of present month; no dredging has been required at this harbour during the season.

About 300 lineal yards of tow-path embankment requires to be raised one foot, between harbour and No. 2 Lock; and a new bridge near dry dock is required.

The dam attached to No. 2 Lock, requires renewal with masonry.

The great dam at Lock No. 3, of solid masonry, is now raised beyond danger from sudden floods, and will be finished in all its parts by the end of ensuing month.

The dam of solid masonry, adjoining Lock No. 6, is now raised fourteen feet above its foundations, and will be completed early next month.

An extra waste wear has been placed at Lock No. 7, which will effectually relieve it from danger by floods.

The waste wear at Marlatt's, of solid masonry, is finished and in operation, and a sluice or let-off near the same place is in progress. The culvert at same place (Marlatt's) has also been made secure with solid masonry.

Broad Creek let-off has been re-constructed with timber and is now fit for use.

Three new bridges have been built upon the line during the season, viz: at Lock No. 5, at Hurst's, and at Burger's.

Ten pair of Lock gates have been made and placed; nine pair are ready and in reserve at those Locks where they are most likely to be required.

Two sets of stop gates are under contract and in progress; one pair at Allanburgh summit, the other at Port Robinson.

The timber work of Chippawa aqueduct has been placed in good repair, and abutments of solid masonry are now in execution, more effectually to secure its extremities.

The harbour at Port Colborne has remained permanent throughout the season. Water of sufficient depth has been maintained without dredging, and no contingency for repair has been required.

The Canal banks between Lakes Ontario and Erie are now well consolidated, and with few exceptions, may be pronounced in excellent repair.

The great dam and waste wears at Dunnville are all in a secure state; a supply of gravel is in readiness to meet any contingencies.

The following Locks from No. 7 to 31 are under contract for immediate *general* repair, viz: 12, 16, 18, 19, 25, 26, and 27, and will be finished by the first day of April next.

The following Locks require partial repair, according to the general specification, viz: 8, 9, 10, 11, 13, 14, 15, 17, 21, 22, 23, 24, 28, 29, 30, and 31, and will also be placed in working order by the first of April.

The residue of the Locks from Port Dalhousie to Port Colborne, require no immediate repair, either in foundations or upper works.

Frequent opportunities have occurred during the season, to examine the foundations of nearly all the Locks, from No. 3, upwards, to No. 35. It may be here remarked, that excepting the seven first-mentioned Locks, all the others appear to be more sound at their foundations, and at the lower mitre sills, than was anticipated from the decayed state of their upper works.

The following works will be placed immediately under contract, and commenced upon the first of March next.

1st.—For excavating from basin at Gravelly Bay, towards Stone Bridge, one foot under Canal bottom.



## APPENDIX G.—(See Journal, page 120.)

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

2nd.—For raising towing-path, as last season intended, from Broad Creek to Dunnville, two feet; taking all the earth from inside of feeders. APPENDIX G.

3rd.—For a puddle ditch, within berm bank, above Broad Creek.

4th.—For widening and deepening the feeder above Perry's Bridge.

Report of the Select  
Committee, upon  
Welland Canal  
completion bill.

5th.—For excavating a channel and constructing a Ship Lock at Grand River dam, Dunnville.

I have recommended the construction of a new line of lockage, nearly parallel with the present, from Centreville to Lock No. 31. The intermediate ponds to be connected by side-cuts with the present line, presenting a double line of lockage; each separate level forming a compensation reservoir, as shown by plan No. 6, herewith presented.

Examinations have been made, and an abundant supply of stone found in the vicinity of the Canal, which may be delivered in boats, at moderate prices, to any part of the line.

The improvement proposed will pass through the best posts of free-stone upon the Canal route; and may be executed in three years, at an annual expenditure of twenty-two thousand, five hundred and eighty-three pounds, six shillings and eight-pence.

All which is respectfully submitted,

FRANCIS HALL,  
ENGINEER.

WELLAND CANAL OFFICE,  
*St. Catharines, November 1st, 1836.*

## F.

*Estimate of proportional advances that will be required during the four ensuing months, by the following Contractors, viz:*

Nathaniel Pawling, . . . . .	Contract for . . . . .	Port Dalhousie Harbour, . . . . .	\$ 900
James Gilliland, . . . . .	do. . . . .	No. 3, Dam, . . . . .	1,000
Andrew Dalrymple, . . . . .	do. . . . .	No. 6, Dam, . . . . .	600
Samuel Haight, . . . . .	do. . . . .	Lock No. 12, . . . . .	2,000
John Vanderburgh, . . . . .	do. . . . .	Locks Nos. 16 and 19, . . . . .	4,000
Jonathan Collier, . . . . .	do. . . . .	Lock No. 18, . . . . .	2,000
John Clelland, . . . . .	do. . . . .	Lock No. 25, . . . . .	2,000
John Kerr, . . . . .	do. . . . .	Locks Nos. 26 and 27, . . . . .	3,000
Alexander Clelland, . . . . .	do. . . . .	Sluice at Marlatt's, . . . . .	900
James Stinson, . . . . .	do. . . . .	Aqueduct Abutments, . . . . .	2,000
Timber, . . . . .	do. . . . .	Locks and Repairs, . . . . .	9,000
David Thompson, . . . . .	do. . . . .	Plank for do. . . . .	3,000
John Moore, . . . . .	do. . . . .	Stop-Gates, . . . . .	1,600
Time lists for repairing Locks and deepening Canal, . . . . .			4,000
			\$36,000

The residuc, or \$20,402, will be required by the first day of May, 1837.

FRANCIS HALL,  
ENGINEER.

*Welland Canal Office, November 4th, 1836.*

## APPENDIX G.—(See Journal, page 120.)

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

APPENDIX G.

G.

Report of the Select  
Committee, upon  
Welland Canal  
completion bill.

*ARTICLES OF AGREEMENT made this month of June, in the year one thousand eight hundred and thirty-four, between the President and Directors of the Welland Canal Company, and Alexander Macdonell, John B. Yates, and Ogden Creighton, of the second part.*

Whereas the Welland Canal Company have heretofore sold to John B. Yates, the real estate and hydraulic power belonging to said Company, for the consideration of twenty-five thousand pounds, as the same is more particularly described in a deed from the Welland Canal Company to Alexander Macdonell, who holds the same for the party of the second part: and whereas, the said Alexander Macdonell executed a mortgage for the said consideration money, and accompanied by a bond as collateral security for the same amount, payable in ten years, from the first day of January, eighteen hundred and thirty-two, with the interest thereon, payable yearly, on the first day of January: and whereas, further, it has been thought advisable, on the part of said Company, to re-possess the greater part of said property, so as to enable the Company more fully to control the operations on said Canal.

It is therefore agreed by and between the parties aforesaid, in consideration of the sum of seventeen thousand five hundred pounds, that the said Alexander Macdonell shall re-convey to the said Welland Canal Company, all the aforesaid hydraulic power and real estate, except the part lying on the mountain, near the east end of the summit level, at a place called Allanburgh, and the lot and property at Gravelly Bay; and also that the said Alexander Macdonell execute to the said Company, a conveyance of such property as may have been purchased by him, near the Village of St. Catharines, from Oliver Phelps, together with an assignment of all obligations yet due and unpaid; and all leases for property or water power, sold or leased, or all other portions of said property, except that reserved at Allanburgh, as aforesaid: the said conveyances to be executed when required by said Company, after the following conditions shall be complied with.

The said Company on its part agrees to execute, in due form of law, a discharge of the bond and mortgage aforesaid, and issue also, when required, the notes or obligations of the Company for seventeen thousand five hundred pounds, in sums of two hundred and fifty pounds each, payable in the year eighteen hundred and seventy-four, on the first day of January, bearing an interest of six per cent. per annum, payable half-yearly, on the first days of July and January, at the Office of the Welland Canal Company, to commence running on the first day of January last. The said obligations shall be drawn, payable to the order of Alexander Macdonell, and endorsed by him, the seal of the said Company being first impressed thereon and signed by the President of the said Company, and countersigned by the Secretary; and that the same be then transferable by the holder thereof, as shares of the capital stock in said Company are now transferable, except that an endorsement by the holder thereof shall be a sufficient evidence of transfer, instead of a regular power of attorney; that a separate book shall be provided for the entry of the said transfer.

It is further agreed, that if in consequence of any Legislative alteration of opinion heretofore expressed in relation to such an arrangement, the Legislature shall at their next Session, by resolution, express an opinion that such re-purchase is not necessary, the said Welland Canal Company shall be desirous to rescind this agreement now made, and shall within three months thereafter, give due notice thereof to the party, the said party of the second part stipulate in case the property shall be placed in the state in which it now is, they will consent to such a measure, and will return to the Welland Canal Company all the bonds or obligations which shall have been issued and received as aforesaid.

And whereas, the income from the property thus re-conveyed and sold to the Welland Canal Company, may not equal for a short time the semi-annual interest on the obligations, the said party of the second part agree, that if the amount of reserved rent money received, or sales and proceeds of sales of timber, or any product of the land shall not equal the semi-annual interest on the obligations aforesaid, they will pay an amount sufficient to pay such a deficiency to the Treasurer of the Company, by way of rent, for the said property and water at Allanburgh, and the lot at Gravelly Bay.

## APPENDIX G.—(See Journal, page 120.)

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

In witness whereof, the said Welland Canal Company have caused the seal of said Company to be affixed to this agreement, and signed by the President, and the said party of the second part have set their hands and seals, at the Canal Office, in St. Catharines, on the day and year aforesaid.

APPENDIX G.

Report of the Select Committee, upon Welland Canal completion bill.

WILLIAM HAMILTON MERRITT,  
*President, W.C.C.* [L.S.]  
ALEXANDER MACDONELL, [L.S.]  
JOHN B. YATES, [L.S.]  
OGDEN CREIGHTON, [L.S.]

Signed, sealed and delivered, in the presence of

JOHN CLARK.

## H.

*WATER PRIVILEGES Rented, and Machinery in operation, on the Welland Canal, and annual Rent paid for the same.*

TO WHOM RENTED.	RUN OF STONE.	No OF SAWS.	CARDING AND FULLING MILLS.	OTHER MACHINERY.	ANNUAL RENT.		
					£	s.	d.
<b>DUNNVILLE:</b>							
Hezekiah Davis,.....	1	2			75	0	0
H. N. Camp, .....		2		Lath-saw, Shingle-saw, Cut-saw and Filly-saw,.....	62	10	0
Andrew Thompson,.....		1	1		73	10	0
James R. Benlon,.....		2			50	0	0
Joseph Clark,.....	1	1			50	0	0
John Vanhausen,.....		1			25	0	0
Luther Cross,.....		1			25	0	0
Joshua Thompson,.....		2			50	0	0
A. S. St. John,.....	2				50	0	0
Thomas Chapin,.....		1			25	0	0
J. S. Egan,.....		2			50	0	0
<b>MARSHVILLE:</b>							
Lee & Graybiel,.....	2	1			30	0	0
<b>THOROLD:</b>							
Jacob Keefer,.....		2			50	0	0
Squire & Christie,.....	2	1	1		90	0	0
W. K. Emery,.....		1			25	0	0
George Keefer,.....		1			25	0	0
Alexander Christie,.....		1			25	0	0
<b>ST. CATHARINES:</b>							
Thomas Butler,.....	2	1			125	0	0
Water-power Comp'y	6	2	1	1 Bark-mill, & 1 Pail Factory,.	125	0	0
Oliver Phelps,.....	3	2		1 Thrashing Machine,.....	87	10	0
William May,.....		1			25	0	0
John Christie,.....		1		1 Circular Saw,.....	25	0	0
John Donaldson,.....				1 Plaster Mill,—Port Robinson,	25	0	0
Hiram Slate,.....	2	1		Port Colborne,.....	30	0	0
	21	30	3		£	1,187	10 0

## APPENDIX H. &amp; I.—(See Journal, pages 127 &amp; 131.)

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

APPENDIX H.

APPENDIX H.—(See Journal, page 127.)

TO THE KING'S MOST EXCELLENT MAJESTY.

Address to the King,  
on the subject of a  
Despatch of the  
Secretary of State for  
the Colonies, relating  
to the local Currency,  
&c.

MOST GRACIOUS SOVEREIGN :

We, His Majesty's most dutiful and loyal Subjects, the House of Assembly of Upper Canada, in Provincial Parliament assembled, beg leave to represent, that by the Despatch of the Right Honorable Lord Glenelg, Secretary of State for the Colonies, bearing date the thirty-first day of August, 1836, and communicated to the Legislative Council and House of Assembly, by Message from His Excellency the Lieutenant Governor, on the nineteenth day of December last, Your Majesty has instructed His Excellency the Lieutenant Governor to reserve for the signification of Your Majesty's pleasure thereon, any bills which may be passed by the two Houses of the Legislature, which relate to "the local Currency and circulating medium, or to the rates at which Coins should pass current, or be a legal tender, or to the circulation of Promissory Notes, or other Paper, either by the local Government, or by any Corporate Bodies, or individuals."

That bills have already passed the two Houses, establishing Banks in several of the Districts of this Province, to increase the circulating medium of the country, and other measures for the same purpose are in progress for authorising the issue of Bank Paper by Corporate Bodies, which, if they become laws, cannot have an injurious effect upon the general interests of the Empire, or of our sister Colonies, but are purely local in their nature, affecting only the welfare of Upper Canada.

That although the Legislature of this Province has passed several Acts fixing the rates at which various Coins should pass current as a legal tender, and in one important instance has done so at the suggestion of Your Majesty's Government, the Legislative Council and House of Assembly are nevertheless of opinion, that all matters relating to the Coin should be regulated by Your Majesty's Government, in order that a uniformity should prevail in the value of the Coins current in the different Colonies.

That although the Legislative Council and House of Assembly do not desire to question the Constitutional right of Your Majesty's Government to instruct Your Majesty's Representative in this Province to withhold Your Majesty's assent to any bill which may pass the two Houses of the Legislature, or to reserve the same for the signification of Your Majesty's pleasure thereon, they cannot forbear respectfully to express their hope, that the exercise of such right, in matters purely local, and in nowise affecting the general interests of the Empire, or those of other Colonies, will not be unnecessarily resorted to.

The Legislative Council and House of Assembly do most respectfully pray, that Your Majesty will be graciously pleased to revoke the instructions contained in the said Despatch of the Right Honorable Lord Glenelg, and that Your Majesty will not in future deprive your Representative in this Province of all power to assent to bills of a purely local nature, but leave the Lieutenant Governor to the exercise of a sound discretion, so essential to the satisfactory and proper discharge of the duties of his high station.

(Signed) ARCHIBALD McLEAN,  
SPEAKER.

*House of Assembly, 13th February, 1837.*

APPENDIX I.

APPENDIX I.—(See Journal, Page 131.)

F. B. HEAD.

Message from His  
Excellency the  
Lieutenant Governor,  
on the subject of the  
Casual and Territorial  
Revenues.

The Lieutenant Governor, referring to the third, fourth, fifth, seventh and last clauses, of the Letter of Instructions which he received from His Majesty's Secretary of State for the Colonies, (transmitted to the Legislative Council on the 30th January, 1836,) and to the extract from a Despatch to the Commissioners for Lower Canada, appended to the said Instructions, and mentioned therein, as containing views on the subject of the Hereditary, Territorial and Casual Revenues of the Crown, which had received His Majesty's deliberate sanction, desires to call the attention of the Legislative Council again to this important subject.

APPENDIX I.—(See *Journal*, page 131.)SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

The Lieutenant Governor transmits to the Legislative Council, a copy of a Despatch received by him relating to the continuance of certain appropriations in aid of the funds of the Canadian Wesleyan Methodists in this Province, and also alluding to other charges upon the same Revenues.

APPENDIX I.

Message from His Excellency the Lieutenant Governor, on the subject of the Casual and Territorial Revenues.

The Lieutenant Governor informs the Legislative Council, that he has no other communications on the subject of the Crown Revenues subsequent to the Instructions above-mentioned, which he is at liberty to lay before the Legislative Council, and that he has not received any communications from His Majesty's Government which shew any alteration whatever in the views of His Majesty since the said Instructions, or which enable the Lieutenant Governor to give the Legislative Council more satisfactory information than is contained in the extract of the Despatch to the Commissioners for Lower Canada, above referred to, and the various Despatches authorising and relating to the different charges on the Crown Revenues, received previous to his arrival in Upper Canada.

The Provincial Parliament having already in part provided for the support of the Civil Government, the sum which will remain to be granted strictly for that purpose, will not be large.

The Lieutenant Governor herewith transmits to the Legislative Council, an estimate, which appears to him reasonable, of the expenses of the Civil Government for which it is desirable that provision should be made, and upon the granting of which to His Majesty, together with such sum as will enable His Majesty to meet the actual charges upon the fund for which His Majesty may graciously consider the faith of His Government pledged, the Lieutenant Governor would feel himself authorised to assent to a measure for the placing the Revenues at the disposal of the Provincial Parliament.

The Legislative Council will perceive, that the Salaries of Clerks, and contingent expenses in the different Offices, are not included in the estimate; these the Lieutenant Governor proposes, with the approbation of the two Houses of the Legislature, to leave to be provided for by the ordinary method of yearly estimate and supply.

The expenses of surveying, inspecting, granting and selling, the Lands of the Crown, and of collecting and protecting the Crown Revenues, will in such case be deducted from the gross proceeds of the Crown Lands, and other sources of the Territorial and Casual Revenue; accounts of which expenditure would of course be yearly submitted to the Legislature.

The Lieutenant Governor transmits to the Legislative Council, a list of annuities charged upon the Crown Revenues, being the considerations agreed to be paid to certain Indian tribes, for the surrender or cession of Territories in their possession. These annuities being considered as the purchase monies of Indian Lands, the Lieutenant Governor conceives there can be no question as to the necessity of provision being made for them.

The Lieutenant Governor also transmits to the Legislative Council, a list of pensions which have been granted by His Majesty, payable out of the Territorial and Casual Revenues.

The Lieutenant Governor also herewith transmits to the Legislative Council, a list of sums heretofore appropriated by His Majesty's Government for the Upper Canada College; the Central School; the Peterborough School; and also in aid of the funds of the Churches and denominations of Christians enumerated in the list. The sum which has been paid to the Missionaries of the Church of England, in aid of the funds derived from the interest and rental of the Clergy Reserves is variable, and depends upon the amount arising from the Clergy Reserve fund.

The receipts from the latter source are gradually increasing, and the charge on the Provincial Revenue for the support of the Missionaries of the Church of England, cannot therefore be considered as permanent; and the Lieutenant Governor hopes that few of the other items in this list need be considered as continual charges upon the Provincial Revenues.

The Lieutenant Governor in inviting the serious consideration of the Legislative Council to this important matter, desires to express his confidence that His Majesty's gracious intentions will meet with a corresponding feeling on the part of the Legislative Council, and that any measure which it may adopt will be beneficial and satisfactory to His Majesty's Subjects in this Province.

## APPENDIX I.—(See Journal, page 131.)

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

## APPENDIX I.

Message from  
His Excellency the  
Lieutenant Governor,  
on the subject of the  
Casual and Territorial  
Revenues.

The Lieutenant Governor thinks it right to inform the Legislative Council, that it has hitherto been found necessary to expend yearly a considerable sum of money for the relief and assistance of emigrants arriving in the Province without adequate means, to enable them to proceed to the parts of the country in which they can provide for their own support, by labour or settlement on land.

The Lieutenant Governor also informs the Legislative Council, that he has lately procured from several tribes of Indians, cessions to His Majesty of valuable territories within this Province, from the proceeds of the sale of which an addition to the revenues above-mentioned is eventually expected to arise. On the occasions of some of these cessions of territory, certain considerations were expressed and stipulations entered into for the benefit of the said Indians, and of other Indians within the Province. In other cases, the Lieutenant Governor feeling that under the paternal and benevolent consideration of His Majesty, the Indians would be certain of the most just and kind treatment, did not think it necessary to make any special provision for their remuneration: the Lieutenant Governor, therefore, thinks it necessary to inform the Legislative Council of these facts, with a view to such a provision being made as will enable His Majesty to fulfil His gracious promises and intentions towards the Indian tribes within the Province.

The Lieutenant Governor will be most happy to communicate to the Legislative Council any information in his power, which may be considered necessary by them for the satisfactory consideration of these important subjects.

Government House,  
14th February, 1837

## SCHEDULE A.

	STERLING.			DATE OF DESPATCH CONTAINING THE AUTHORITY.
	£	s.	d.	
Salary of the Lieutenant Governor, in addition } to the sum granted by the Statute 1st Wm. } IV. chap. 14, . . . . . }	1,000	0	0	{ The King's Warrant, 1811.
Treasury Salary of the Receiver General, . . . . .	200	0	0	31st August, 1827.
Salary of the Secretary and Registrar, . . . . .	900	0	0	20th August, 1834.
Treasury Salary of the Inspector General, . . . . .	200	0	0	{ 30th September, 1834, and 28th March, 1835.
Salary of the Commissioner of Crown Lands, . . . . .	500	0	0	{ 17th July, 1827.
Do. of the Surveyor General, . . . . .	600	0	0	{ His Majesty's Warrant. 5th September, 1834.
Do. of the Surveyor General of Woods, . . . . .	500	0	0	{ 17th July, 1827.
Do. of the Clerk of the Executive Council, . . . . .	200	0	0	{ His Majesty's Warrant. 5th September, 1834.
Do. of the Speaker of the Legislative Council, . . . . .	360	0	0	{ 10th March, 1835.
Do. of Government Printer, . . . . .	50	0	0	20th August, 1834.
Do. of Samuel Ridout, Receiver of Fees to } Public Officers, . . . . . }	200	0	0	Governor in Council. { 31st August, 1827, and 5th September, 1834.
Charges at present on the Casual and Territorial } Revenue, . . . . . }	£4,710	0	0	
Additional Salary of the Attorney General, . . . £780				
Do. do. of the Solicitor General, . . . 340				
	1,120	0	0	
	£5,830	0	0	

## APPENDIX I.—(See Journal, page 131.)

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

## SCHEDULE B.

APPENDIX I.

*Statement of the Annuities payable to Indian Tribes in the Province of Upper Canada, for Lands ceded by them to the Crown, as secured for their benefit by the respective deeds of surrender, or provisional agreements.*

Message from His Excellency the Lieutenant Governor, on the subject of the Casual and Territorial Revenues.

## 1—MOHAWKS OF THE BAY OF QUINTE:

A perpetual annuity of 50s. to each man, woman and child, but in no case to exceed £450 per annum: in 1836 the number of the Tribe was 312, . . . Halifax Currency, £ 450 0 0

## 2—MISSISSAUGAS OF THE BAY OF QUINTE:

A like perpetual annuity; the number of persons entitled in no case to exceed 257: in 1836, the number of the Tribe was 212 only, . . . . . 612 10 0

## 3—CHIPPAWAS OF THE RIVER THAMES:

A like perpetual annuity; the number of persons in no case to exceed 240, 600 0 0

## 4—CHIPPAWAS OF CHENIL ECARTE AND ST. CLAIR:

An annuity of £1,100; no reduction to take place so long as their number equals 220: in 1836, their number was 473. In case their number should fall below 220, then the annuity to be reduced one-half, and to continue so reduced till the residue be decreased one-half, when the annuity is to be reduced in proportion, . . . . . 1,100 0 0

## 5—CHIPPAWAS OF LAKES HURON AND SIMCOE:

A perpetual annuity of . . . . . 1,200 0 0

## 6—MISSISSAUGAS OF THE RIVER CREDIT:

A perpetual annuity of . . . . . 522 10 0

## 7—CHIPPAWAS OF THE RICE AND MUD LAKES:

A perpetual annuity of . . . . . 740 0 0

## 8—MORAVIAN INDIANS OF THE RIVER THAMES:

A perpetual annuity of . . . . . 150 0 0

Total amount of annuities, . . . . . £5,405 0 0

*Indian Office, Toronto,  
6th February, 1837.*

## SCHEDULE C.

	£	s.	d.	DATE OF DESPATCH CONTAINING THE AUTHORITY.
Pension to the Honorable and Right Reverend Dr. McDonell, Roman Catholic Bishop, . . . . .	100	0	0	32nd December, 1833.
Do. to the Honorable Colonel Talbot, . . . . .	400	0	0	8th June, 1826.
Do. to Sir David William Smith, . . . . .	200	0	0	31st August, 1827.
Do. to William Chewett, . . . . .	360	0	0	11th June, 1830.
Do. to the family of the late Major Gen. Shaw, . .	100	0	0	31st August, 1827.
Do. to Officers of the Incorporated Militia, . . . . .	176	10	9	8th June, 1813.
Do. to Oneida Joseph, . . . . .	15	0	0	1st November, 1832.
Do. to Thomas Merritt, . . . . .	47	0	0	{ 31st August, 1827, and 5th September, 1834.
	£1,398	10	9	

## APPENDIX I.—(See Journal, page 131.)

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

APPENDIX I.

## SCHEDULE D.

	STERLING.						DATE OF DESPATCH CONTAINING AUTHORITY.
	£	s.	d.	£	s.	d.	
Upper Canada College, . . . . .	1,000	0	0	1,432	10	0	{ 3rd November, 1831. 21st November, 1831. Governor in Council. Governor in Council.
Central School at Toronto, . . . . .	365	0	0				
Peterborough School, . . . . .	67	10	0				
For the Missionaries of the Church of England; was paid in the year 1836, . . . . .	2,565	0	0	7,195	0	0	5th August, 1834. 25th January, 1830. 1st August, 1835. 22nd November, 1832. 23rd May, 1831. 23rd May, 1831.
House rent for Bishop of Quebec, . . . . .	180	0	0				
Ministers of the Church of Scotland, . . . . .	1,350	0	0				
United Synod of Upper Canada, . . . . .	700	0	0				
Roman Catholic Bishop, . . . . .	500	0	0				
Roman Catholic Priests, . . . . .	1,000	0	0				
The Wesleyan Methodists, . . . . .	900	0	0				
				7,195	0	0	
				£8,627	10	0	

(Copy.)

No. 47.

DOWNING STREET,

15th April, 1836.

SIR,

I have the honor to inform you that I have recently received, from the Wesleyan Missionary Society, a communication relative to the discontinuance of the assistance heretofore extended to them from the Casual and Territorial Revenue of Upper Canada. The circumstance connected with the question appear to be as follows :

In the year 1832, in consequence of representations from various quarters, the Earl of Ripon suggested to the Wesleyan Methodist Society in this Country, the extension of their Missions in Upper Canada. To aid them in effecting this object, His Lordship instructed Sir John Colborne, in the month of November, 1832, to appropriate to the Society, in the course of the ensuing year, the sum of £900, from the Casual and Territorial Revenue. His Lordship's Despatch did not, however, contain any specific pledge as to the permanency of this allowance, which in the year 1834 was considerably reduced, by the directions of Lord Stanley, and was altogether discontinued 1835. The Wesleyan Society having represented to me, that in consequence of this interpretation of the agreement with them—an interpretation which is entirely opposed to their own understanding of that agreement—they have been exposed to considerable inconvenience,—I have thought it my duty to communicate on the subject with the Earl of Ripon. I enclose, for your information, a copy of the reply which I have received from His Lordship.

The answer of the Earl of Ripon, although shewing that His Lordship had not considered himself at liberty to offer to the Wesleyan Society such a pledge as would be permanently binding on His Majesty's Government, yet bears out the representation of the Society, that the allowance to them in the year 1833 was not to be considered merely in the light of a special and definite grant. It would rather appear, that it was the design of His Lordship, having called on the Wesleyan Society on public grounds, to extend the field of their labours, to afford them from time to time such pecuniary assistance as might be necessary to meet their increased expenditure, until the period when the augmentation of their own funds should enable them to dispense with it. Understanding the intention of His Majesty's Government in this manner, the Wesleyan Society lost no time in following out the suggestions of the Earl of Ripon, by the erection of additional Churches and School-houses in Upper Canada, and by a considerable increase in the number of their Ministers. The expenditure thus incurred, is not of a nature to be immediately curtailed, and the Society are therefore exposed to risk of much embarrassment, if the assistance on which they have considered themselves entitled to calculate should be now withdrawn. I have accordingly felt it my duty to review the whole correspondence on this subject, and having devoted my earnest attention to it, and



APPENDIX I.—(See *Journal*, page 131.)SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

APPENDIX I.

having taken every means of informing myself of the nature of the obligation contracted by His Majesty's Government towards the Wesleyan Society, I feel bound to admit their claim to a continuance of the assistance promised to them by the Earl of Ripon. Whether that assistance should be now renewed at the precise amount at which it was fixed in November, 1832, I do not feel myself competent to decide;—I am therefore compelled to devolve on you that further investigation which will be necessary to determine this part of the question. You will have the goodness to ascertain, with the utmost possible precision, the nature and extent of the expenditure incurred by the Wesleyan Society, in consequence of the expectation held out to them by the Earl of Ripon, and having obtained that information, you will proceed to calculate the amount of the assistance to which they are consequently entitled. That amount must be placed on the Casual and Territorial Revenue of Upper Canada, as one of those charges to which the good faith of His Majesty is pledged, and subject to which alone His Majesty has consented to divest himself of his control over that Revenue. I need not here repeat the strong sense which His Majesty entertains of the obligation on him, while contemplating the surrender of the control over the Casual and Territorial Revenue, to maintain inviolate all those charges upon it, to which his faith had become previously bounden. I cannot permit myself to doubt that the Assembly of Upper Canada will cheerfully recognize the claim of the Wesleyan Missionary Society, and that they will at once admit a change which is calculated to advance no individual interest alone, but to promote and extend the diffusion of religious and moral instruction throughout the Province.

You will have the goodness to report to me the steps which you may take in consequence of this Despatch.

I have, &amp;c.

(Signed) GLENELG.

Lieutenant Governor SIR F. B. HEAD, K.C.H., &amp;c. &amp;c. &amp;c.

A true Copy.

J. JOSEPH.

(Copy.)

SIR,

DOWNING STREET,  
29th February, 1836.

I am directed by Lord Glenelg to acknowledge the receipt of your letters to His Lordship, of the 12th and 23rd instant. I have also laid before him your letter to myself, of the 12th instant. In reply, I am to make to you the following communication:

His Lordship desires me to express his sense of the exertions which have been made by the Conference of the Methodist Church in Canada for the diffusion of education amongst all classes of the inhabitants. On this subject he adopts, without reservation, the sentiments which you have quoted from Lord Ripon's Despatch of the 8th November, 1832; and he directs me to assure you, that the interest which His Majesty at that time expressed in the diffusion of moral and religious instruction throughout his Dominions, has undergone no change. It would therefore be Lord Glenelg's imperative duty, no less than his anxious wish, to follow out the benevolent intentions of His Majesty, by affording every assistance in his power to those who have devoted themselves to the promotion of so important an object, and he would accordingly be most anxious to discover a means of relieving the Trustees of the Seminary of learning from the pecuniary embarrassments detailed in your letter of the 23rd instant; a statement which His Lordship has perused with deep interest; but I am at the same time to remind you, that considerable changes have taken place in the Canadas since the date of Lord Ripon's Despatch. The present political aspect of those Provinces, involving as it does the question of the control over the appropriation of the Casual and Territorial Revenue, must for the present preclude His Majesty's Government from placing any new charge on those funds; and I need scarcely observe, that however highly His Majesty's Government might approve of an Institution established within either of those Provinces for the instruction of youth, and however much they might appreciate the exertions of individuals towards its support, they would yet not feel justified in applying to the Imperial Parliament to assume the office of the local Legislature by the grant of pecuniary assistance, and from the revenues of the Mother Country; nor should they consent to do so, could they hope that an application in favour of an object so purely Colonial would be successful.

## APPENDIX I.—(See Journal, page 131.)

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

## APPENDIX I.

Message from  
His Excellency the  
Lieutenant Governor,  
on the subject of the  
Casual and Territorial  
Revenues.

Lord Glenelg has attentively weighed the arguments which you have urged against a reference of this question to the Provincial Legislature. His Lordship would be unwilling to offer a recommendation which you appear to consider so nugatory; but after the foregoing statement, he trusts you will perceive that there is no other quarter from which it would be possible for you to derive assistance; nor can he permit himself to anticipate, that the Legislative Bodies of Upper Canada would allow a question of such general and permanent interest to be perilled by the contests of party, or by the ephemeral passions of the moment. He cannot, except on unquestionable proof, abandon his conviction that the Representatives of the people, and the Legislative Council, will be ready to co-operate in any measure well calculated to promote the morality and to elevate the character of their less-wealthy fellow Subjects.

Among the advantages which you solicit for the Institution in question, is an endowment in land, and you refer to the precedent of King's College in support of your application. I am desired however to remind you, that since the date at which that endowment was conferred on King's College, an entire change has taken place in the system under which land in His Majesty's Colonial possessions is disposed of.

The practice of making free grants has been altogether discontinued, and the benefits which have resulted from the alteration at once justify its adoption, and forbid any departure from it in future. I am further to remark, that the experience of other Colonies does not hold out any fair prospect of obtaining an income from such an endowment; but rather leads to the inference, that land cannot be advantageously employed by a numerous body, not under the stimulus of immediate personal interest, or at liberty to devote their whole time and attention to its management. Under these circumstances, Lord Glenelg feels himself precluded from granting an endowment in land to the Institution in whose behalf you have applied.

I have, &c.

(Signed) GEORGE GREY.

REV. E. RYERSON.

CARLETON GARDENS,  
4th April, 1836.

My Lord,

In reply to the letter of the 30th ultimo, which I have had the honor to receive from Your Lordship, I beg to say, that I perfectly recollect the circumstances referred to in that letter.

It is correctly stated that I had various communications with the Wesleyan Methodist Society in this country, in the year 1832, upon the subject of their operations in Upper Canada, and of the desire entertained by the Wesleyans in that Province to place themselves in close and continued connection with the Parent Society in England.

In the course of the communications, I became so impressed with the importance of the objects which the Society, both at home and in Canada, had in view, that I thought it expedient to encourage their exertions, and to instruct the Governor to give them the pecuniary assistance from those funds which were legally at the disposal of the Crown, and although of course I could give them no specific pledge as to the duration of that assistance, which might be affected by various considerations beyond my control, I have no hesitation in saying, that it was assigned to them under a distinct impression on my part that the same motives of policy which dictated the original grant would recommend its continuance. I am bound to add, my perfect recollection of the Wesleyans in England having stated to me at the time, their intention of extending their operations with the assistance which was to be given them by the Colonial Government.

I am not aware that any thing passed upon those occasions which could be understood as binding either myself or any of my successors, as to the precise amount of the aid to be granted; but if I had remained in charge of the Colonial Department, I should unquestionably not have advised the withdrawal of the grant.

I have the honor, &c.

(Signed) RIPON.

The LORD GLENELG.

APPENDIX K.—(See *Journal*, page 146.)SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*APPENDIX K.—(See *Journal*, page 146.)

## APPENDIX K.

THE SELECT COMMITTEE to whom has been referred the Resolutions of the Assembly, on the on the subject of the Post Office Department, beg leave to Report :

That they have attentively examined these Resolutions, as well as the Act of the Imperial Parliament therein referred to, and the draft of a bill sent from England to be passed by this Legislature for the management and regulation of the Post Office in this Province, and are induced to consider the principle on which the Assembly have proceeded in this matter, sound and correct. Your Committee are disposed entirely to concur with that Honorable House in thinking, that the convenience of all His Majesty's Subjects, and the facilities of general intercourse by mail, will be most effectually secured by the maintenance of the Post Office in this Colony, equally as in all other parts of the Empire, in its primitive character of an Imperial Institution, subject to the direct control of the Imperial Parliament, and to that alone.

Report of the Select Committee, upon certain Resolutions of the Assembly, on the subject of the Post Office Department.

In considering the several Resolutions of the Assembly in their order, your Committee deemed it proper to interrogate the Surveyor of the Post Office, who is charged with the superintendence and inspection of all that portion of the Department in Canada which lies to the westward of Kingston. The appointment of this officer is of recent date, and is already productive of excellent effects ; it is among the many improvements introduced into the Department by its present Chief Officer, the extent of whose labours amid many obstacles, in rendering the Post Office system efficient in these Provinces, cannot be thoroughly known, or duly appreciated by any persons, except those who have happened to be connected with it.

The examination of the Surveyor of the Post Office, together with a comparative table of rates of postage, is herewith appended.

It may perhaps have been expected, that the heads of a bill prepared in conformity to the spirit of the Resolutions, would have either accompanied the latter from the Assembly, or have been presented by your Committee. It would indeed have been gratifying to have been enabled to submit the draft of the bill, such as this Legislature desires, to the consideration of His Majesty and His Imperial Parliament ; but sufficient time has not been afforded your Committee for the performance of a duty requiring so much careful arrangement and review, and it is probable, that similar considerations operated elsewhere to prevent the preparation of a bill founded on the Resolutions. It is however to be observed, that in the present stage of the measure, it may be sufficient to declare in a Joint Address, the deliberate opinions of this Legislature on the proper mode of regulating the management of the Post Office, for it is unquestionably an important step towards the settlement of a long-agitated question, in a safe and judicious manner.

Having proceeded so far, this Legislature may be content to wait until His Majesty's Government shall have collected the sense of other Provincial Legislatures on the same subject, and shall have been thus prepared to recommend to the Imperial Parliament such a bill as will prove generally expedient and satisfactory.

With respect to the proceedings in the other Colonies on this question, your Committee are not so fully or accurately informed as they would desire to be. It does not appear that in Nova Scotia any thing has been decided on by the Legislature. Your Committee however observe, that the Post Office has been the subject of recent communications between the Colonial Minister and the Executive Government of New Brunswick.

Of the proceedings in Lower Canada, the Journals of your Honorable House contain some evidence. By a reference thereto it will be seen, that an Address from the Legislative Council of that Province was last year sent to His Majesty, founded on the same principle with the Resolutions of the Assembly of this Province under present consideration, and differing from them in no material respect. This Address was caused by the discussion of a bill which passed the Assembly of Lower Canada and was sent to the Legislative Council, professedly undertaking to act under the authority of the Imperial Statute 4th, William 4th, chapter 7th, but in reality transcending the power granted by that Statute, and intending the creation of a Provincial Establishment totally independent of all others, and managed, not by His Majesty's Post Master General, but by an officer to be appointed within the Province by the Lieutenant Governor. Your Committee conceive, that nothing beyond this fact can be required to illustrate the entire impracticability of the system suggested by the Despatch of the Colonial Secretary in the year 1834, for the satisfactory regulation of the Post Office within the North American Provinces.

APPENDIX K.—(See *Journal*, page 146.)

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## APPENDIX K.

Report of the Select Committee, upon certain Resolutions of the Assembly, on the subject of the Post Office Department.

It is however proper to point out the extreme reduction proposed to be made in the rates of postage by the Assembly of Lower Canada, and which seems to have been induced by merely local considerations, (such, for instance, as the distance between a few certain Towns,) and not by general views. This, it may be added, affords pretty conclusive evidence of the probable character of all Colonial legislation on a subject necessarily Imperial in its objects and bearings. Such legislation could not be otherwise than contracted in its scope and policy, and restricted to mere sectional views, instead of embracing general interests and aiming at the universal convenience of the people.

Your Committee have not been without anxiety while investigating the question respecting the rates of postage and the regulation of the franking privilege. The table of rates proposed by the Lower Canada bill is so much lower than that now in use, that in the event of its even being adopted, your Committee would apprehend such a large deficiency in the receipts of the Department as would throw it into serious confusion and difficulty, unless the clause contained in the bill sent from England, whereby any such deficiency was to be supplied from the general revenue, or some such precaution as that suggested by the Surveyor of the Post Office, were attached to the new bill. In a country such as this, in which the settlements are recent, and additional lines of Post communication, frequently unproductive, must be opened through new tracts, the expenses of the Post Office must for many years to come be great in proportion to the income, and the rates of postage cannot possibly be reduced to an equality with those in use in a more populous and commercial country like the United States, where the revenue of the Post Office is at length beginning considerably to exceed its disbursements.

It would indeed appear to be merely an act of ordinary precaution to continue the rates of postage in these Colonies on a scale nearly such as is at present in use, until it should be seen how far the extension of the franking privilege proposed to be allowed might affect the revenue. If it should afterwards appear that a further reduction of the rates would be safe and justifiable, it might easily be accomplished. The Resolutions propose to simplify the schedule by reducing the number of rates, which cannot fail to be an improvement, by diminishing the chance of errors in marking letters by the Post Masters.

Your Committee conceive it desirable to restrict the franking privilege (which is ever liable to abuse,) within the narrowest bounds, and with this view, they suggest its limitation to the Lieutenant Governor and his Secretary, the Post Office Department, and the Members of the Legislature, while in attendance in their places during each Session. With respect to the Public Officers, your Committee consider, that instead of extending the franking privilege to them, it would be in all respects preferable that their postage should be made, as heretofore, an item in their contingent expenses.

Your Committee have appended the several amendments they have undertaken to suggest to the Resolutions, and now submit them for the consideration of your Honorable House.

All which is respectfully submitted,

(Signed) JOHN MACAULAY,  
CHAIRMAN.

*Committee Room, Legislative Council,*

Seventeenth day of February, 1837.

- 1.—You are Surveyor of the Post Office within this part of the Canadian Provinces?
- 2.—Have you examined the Resolutions on the Post Office recently adopted by the House of Assembly?
- 3.—Do you concur in the view taken in those Resolutions respecting the best mode of legislating on the Post Office, and if not, state the points of difference?
- 4.—Be pleased in particular to state your opinion concerning the rates of postage specified in the fourth section of the seventh Resolution, and the comparative table of rates now shewn you?
- 5.—What is your opinion respecting the privilege of franking? Do you not conceive that the seventh Resolution proposes to carry it to too great an extent?
- 6.—May it not happen, that if the rates of postage be reduced below the existing schedule, while an extensive authority to frank is conceded, the revenue may fail to supply the means of defraying the current expenses of the Department? Is such a result in any degree proba-

## APPENDIX K.—(See Journal, page 146.)

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

ble if the regulations proposed by the seventh Resolution were adopted, and if so, how would you desire to guard against the embarrassments it might entail on the Department?

APPENDIX K.

7.—Have the goodness to communicate any information which you may consider useful to the Select Committee in their present enquiries.

Report of the Select Committee, upon certain Resolutions of the Assembly, on the subject of the Post Office Department.

## TABLE.

*Various Schedules of Rates of Postage.*

## RATES IN IRELAND.

From 1 mile to 7 miles inclusive, .....	2d.
Do. 7 do. 15 do. do. ....	3d.
Do. 15 do. 25 do. do. ....	4d.
Do. 25 do. 35 do. do. ....	5d.
Do. 35 do. 45 do. do. ....	6d.
Do. 45 do. 55 do. do. ....	7d.
Do. 55 do. 65 do. do. ....	8d.
Do. 65 do. 95 do. do. ....	9d.
Do. 95 do. 120 do. do. ....	10d.
Do. 125 do. 150 do. do. ....	11d.
Do. 150 do. 200 do. do. ....	1s. 0d.
Do. 200 do. 250 do. do. ....	1s. 1d.
Do. 250 do. 300 do. do. ....	1s. 2d.

## PRESENT RATES IN CANADA.

From 1 mile to 60 miles inclusive, .....	4½d.
Do. 60 do. 100 do. do. ....	7d.
Do. 100 do. 200 do. do. ....	9d.
Do. 200 do. 300 do. do. ....	11d.
Do. 300 do. 400 do. do. ....	1s. 2d.
Do. 400 do. 500 do. do. ....	1s. 4d.
Do. 500 do. 600 do. do. ....	1s. 6d.
Do. 600 do. 700 do. do. ....	1s. 8d.
And at this rate to 1,600 do. do. ....	3s. 4d.

## RATES IN BILL SENT FROM ENGLAND.

Not exceeding 30 miles, .....	4d.
Do. 80 do. ....	6d.
Do. 150 do. ....	8d.
Do. 200 do. ....	10d.
Do. 300 do. ....	1s. 0d.
Do. 400 do. ....	1s. 2d.
Do. 500 do. ....	1s. 4d.
Exceeding... 500 do. ....	1s. 6d.

## RATES PROPOSED BY THE ASSEMBLY OF LOWER CANADA.

Not exceeding 30 miles, .....	3d.
Do. 90 do. ....	5d.
Do. 180 do. ....	7½d.
Do. 300 do. ....	9d.
Do. 400 do. ....	1s. 0d.
More than... 400 do. ....	1s. 3d.

## RATES RECOMMENDED IN THE RESOLUTIONS.

Not exceeding 50 miles, .....	4d.
Do. 150 do. ....	7d. or 8d.
Do. 300 do. ....	10d.
Do. 400 do. ....	1s. 0d.
All above... 400 do. ....	1s. 4d.

## APPENDIX K.—(See Journal, page 146.)

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## APPENDIX K.

## PRESENT UNITED STATES TARIFF OF POSTAGE RATES.

Report of the Select Committee, upon certain Resolutions of the Assembly, on the subject of the Post Office Department.	Not exceeding 30 miles,.....	6 cents,.....	3½d.
	Do. 80 do. ....	10 " .....	6d.
	Do. 150 do. ....	12½ " .....	7½d.
	Do. 400 do. ....	18¾ " .....	11½d.
	All over.....400 do. ....	25 " .....	1s. 3d.

## NEW RATES PROPOSED IN THE UNITED STATES.

Not exceeding 75 miles,.....	5 cents,.....	3d.
Do. 150 do. ....	10 " .....	6d.
Do. 300 do. ....	15 " .....	9d.
Do. 600 do. ....	20 " .....	1s. 0d.
All over.....600 do. ....	25 " .....	1s. 3d.

## A PROPOSED SCALE OF POSTAGE RATES FOR BRITISH NORTH AMERICA.

Not exceeding 50 miles,.....	3d.
Do. 150 do. ....	6d.
Do. 300 do. ....	9d.
Do. 400 do. ....	1s. 0d.
Do. 500 do. ....	1s. 3d.
All over.....500 do. ....	1s. 6d.

OR THE FOLLOWING PROGRESSIVE INCREASE OF POSTAGE RATES, BY FIFTY MILES AT EACH INCREASE.

Not exceeding 50 miles,.....	3d.
Do. 100 do. ....	6d.
Do. 150 do. ....	7d.
Do. 200 do. ....	8d.
Do. 250 do. ....	9d.
Do. 300 do. ....	10d.
Do. 350 do. ....	11d.
Do. 400 do. ....	1s. 0d.
Do. 450 do. ....	1s. 1d.
Do. 500 do. ....	1s. 2d.
Do. 550 do. ....	1s. 3d.
Do. 600 do. and all over, .....	1s. 4d.

*Answers to questions put to the Post Office Surveyor for Upper Canada, by a Committee of the Honorable the Legislative Council, on the subject of the Post Office Department.*

No. 1.—I am Post Office Surveyor for Upper Canada.

No. 2.—I have read them with attention.

No. 3.—It is in my opinion necessary for the well-conducting of a Department of so much importance to the country, that it should remain under the control of His Majesty's Post Master General, as is contemplated in the Imperial Act of the 4th, William 4th, chapter 7th; but I see no probability that the Legislatures of the different Provinces will ever pass such laws on the subject, so nearly assimilating one to the other, as to ensure a system being established which will ever work well; and am of opinion, that the best mode of legislating on the Post Office, and in truth, the only way of doing so effectually, is the one pointed out in the Resolutions.

No. 4.—The rates of postage is a subject to which I have given much thought; and after mature consideration, I do not think that I could recommend a better scale than the one specified in the fourth section of the seventh Resolution, so far as it goes; but I would beg to suggest the propriety of adding another rate, say 1s. 6d., from 500 miles and above; also that the second charge be made 8d. As regards the comparative tables of rates now shewn to me, with the above exception, the eighth one pleases me the most; still I give a preference to the one in the Resolutions, in consequence of the rates up to 300 miles being higher, as I con-

APPENDIX K.—(See *Journal*, page 146.)SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

sider the great bulk of our postage is collected within that distance; the trifling difference will be but little felt by individuals sending letters by post, when on the contrary, it will make a material difference to the revenue.

No. 5.—From the abuse that I have seen made of the privilege of franking, and the difficulty of checking the same, I have long been of opinion that it would be well if it could be altogether abolished, and that an allowance be made to Post Masters equivalent to the advantage taken from them; but since assuming the duties of the office I now hold, I see that if such a measure was attempted, in very many places persons could not be found to do the duties of Post Master, as that is in reality the principal inducement to persons taking charge of small offices, and as I can point out no feasible way of remunerating them, were it done, I therefore could not recommend such a measure. After advancing the above opinions, it may well be supposed that I consider it is proposed to carry the privilege of franking to too great an extent in the seventh Resolution. I do so, and fear very much, if done, that the Post Office will not pay its expenses. I would therefore humbly suggest the propriety of limiting the privilege to the Lieutenant Governor, his Secretary, and the Post Office Department, and it might be extended to both branches of the Legislature whilst in Session; but as regards the latter, if the Province gets the revenue, it is in my opinion a matter of no importance whether it is extended to them or not, as the money paid will return to the Province; but paying their postage will have the advantage to shew, that a Department of such importance to the country, as the Post Office undoubtedly is, is not a burthen to it.

No. 6.—My answer to question No. 5 shows, that I believe if an extensive privilege of franking is conceded, the revenue may fail to supply the means of defraying the current expenses of the Department; and although I may be mistaken, I unhesitatingly give it as my opinion, that it will fail in doing so. It may not be improper to mention here, that when advancing these opinions, the prosperous state of the Post Office Department in the United States has been mentioned, and the question asked me, why, if theirs pays so well, ours should not also? It is true, by the last Report of the Post Master General of the United States it appears so, and I make no doubt it is correct; but it should be borne in mind, that it is only by the last Report that such prosperity is shewn, and that not long since, the Department was deeply involved. I however beg to observe, that I do not think the two countries can, as regards the Post Office, be at all compared. The United States has an extensive Sea coast, with large commercial cities on the same; the Post Office revenue from which must be immense; and New York alone pays more postage than all Upper Canada; and again, we have even to contribute to the prosperity of their Post Office, as their Sea-port towns are our nearest route to correspond with Europe, and at Queenston alone, about £6,000 per annum is collected for letters passing through the United States from and to the Canadas; all is in their favour, and it is not surprising that their Post Office yields a large revenue. Upper Canada on the contrary, is an inland country, where such emporiums of trade are not likely to rise, and its Post Office has in a great measure to depend for its support upon a population scattered over a large surface of country, and its receipts must, as a matter of course, be much less in proportion to its expenses, than if there were large commercial towns in all directions, as in the old settled parts of the United States; it therefore appears to me, that the comparison is an unfair one, and that we should endeavour not to allow ourselves to be led astray, and do that which is most likely to ensure our having as efficient a Post Office as our country will admit of; and I think if the privilege of franking is limited, as I have before humbly recommended, that with judicious management, the Post Office will pay its expenses, and perhaps yield a small revenue; but should that not be the case, I can see but two ways of providing for the deficiency: the one, that the amount be paid out of other Provincial funds: or the other, that the rates of postage be increased: or I would beg leave to suggest, that there be two schedules of rates of postage; the lowest to be charged so long as the Post Office is found to yield sufficient to support itself; and if on the contrary, it does not do so, that His Majesty's Post Master General be authorised to adopt the highest.

No. 7.—I am not aware that in the present state of the Post Office question, I could say any thing further that might be of use, but will readily answer any other questions the Committee may wish to put to me, on a subject which I consider of the utmost importance to the country.

(Signed) CHARLES BERCZY.

*Toronto City*, 16th February, 1837.

APPENDIX K.

Report of the Select Committee, upon certain Resolutions of the Assembly, on the subject of the Post Office Department.

APPENDIX L.—(*See Journal, page 174.*)

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Report of the Select Committee, upon certain Resolutions of the Assembly, on the subject of the Post Office Department.

- Page 3, line 19.—Expunge “this House,” and insert “the Legislative Council and House of Assembly”
- “ 4, “ 9 and 10.—Expunge “this House,” and insert “the Legislative Council and House of Assembly are”
- “ 5, “ 1.—After “Colony,” insert “for the information of the Legislature”
- “ “ “ 4.—Expunge “7d. or”
- “ “ “ 13.—After “4d.,” insert “currency”
- “ “ “ 17.—Expunge “above,”—after “400,” insert “to 500,”—after “1s. 4d.,” insert “above 500, 1s. 6d.”
- “ “ “ 19.—After “pamphlets,” insert “and other printed papers”
- “ 6.—Expunge 5, 6, 7, 8, 9, 10 and 11th lines.
- “ “ line 13.—After “in,” insert “attendance during each”
- “ 6.—Expunge the 14, 15, 16 and 17th lines.
- “ “ line 24.—After “Office,” insert “rent”
- “ “ “ 24.—Expunge “assistants,” and insert “assistance”
- “ 8, “ 14.—Expunge “an,” and insert “a Joint,”—after “Address,” insert “from the Legislative Council and Assembly”

## APPENDIX L.

APPENDIX L.—(*See Journal, page 174.*)

Report of the Select Committee, upon Chancery Court establishment Bill.

THE SELECT COMMITTEE to whom has been referred the bill entitled, “An Act to establish a Court of Chancery in this Province,” beg leave to Report :

That the object of this bill is the institution of a Court of Equitable Jurisdiction, as nearly corresponding with the English Court of Chancery as the circumstances and condition of this Province will admit.

Your Committee have given to this measure their most earnest and careful attention, and as it contemplates a very material change in the Provincial Judicature, they have obtained the answers of the three Judges, as well as both the Law Officers of the Crown, to certain queries which were submitted to them, touching the constitution of the proposed Court, its powers, objects and proceedings.

A vague apprehension is known to prevail in this country, of the great expenses and vexatious delays attending the prosecution of a suit in Chancery. Your Committee conceive that the opinions elicited from the learned gentlemen, whom they have on this occasion deemed it prudent to consult, cannot but have in a great degree, the effect of relieving the public mind from erroneous impressions.

It is moreover to be borne in recollection, that if the provisions of this bill should be found in practice defective, or in any respect injurious or oppressive, it will be the care of the Legislature to devise and apply a suitable remedy for all defects, errors and abuses.

A Court endued with equitable powers is considered necessary for the better dispensation of Justice within this Province, by those who are by profession and station best qualified to pronounce on the question; and your Committee are led to the conclusion, that if, as a well-known writer observes, “Equity be the soul and spirit of all law, if positive law be construed, and rational law made by it,” then the Provincial system of Judicature must be incomplete and defective without a Court of Chancery.

Thinking that the country may safely rely on the opinions expressed in the appendix to this report, in favour to this very important measure, your Committee recommend that the bill be concurred in by your Honorable House, without amendment.

All which is respectfully submitted,

(Signed) JOHN MACAULAY,  
CHAIRMAN.

Committee Room, Legislative Council,

Twenty-fifth day of February, 1837.



APPENDIX L.—(See *Journal*, page 174.)SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.**QUERIES put to the Honorable the CHIEF JUSTICE, and his Answers thereto.*

APPENDIX L.

*First Question.*—Is the Province of Upper Canada now in need of a distinct Court of Equity, or could not a suitable Court of Chancery be provided for the present by the extension to the Court of King's Bench of Equity powers?

Report of the Select Committee, upon Chancery Court establishment Bill.

*First Answer.*—I think a distinct Equitable Tribunal is desirable. Powers might be given to the Court of King's Bench which would enable them, in some important particulars, to supply the present want of an Equitable Jurisdiction; but I think a distinct Court is, in many respects, preferable.

*Second Question.*—Does the second clause of the bill now offered for your consideration define, with sufficient precision, the jurisdiction thereby intended to be granted to the Court of Chancery in the matters enumerated. Jurisdiction is given in all cases of account: Is it intended that the Court shall have original jurisdiction in all cases of account, thereby superseding the jurisdiction of the Courts of Common Law; and if so, is it prudent?—We also observe, that in the State of New York the Court of Chancery is bound to dismiss every suit concerning property, when the matter in dispute, exclusive of costs, does not exceed the value of \$100—£25 Currency, with costs to the Defendant. Be pleased to state your opinion on this point.

*Second Question.*—It is impossible in the short time allowed me, to give any other than a very short and general answer to this and similar questions; and it is perhaps not material to do more, as I have the opportunity of expressing my opinions more at large upon the bill, as a Member of the Legislative Council.

It seems to me, that the bill does in general define with sufficient precision the objects of the intended jurisdiction; though it does not accurately distinguish between the Equitable and Common Law powers of the Court, I see nothing material omitted: but to ensure power of relief in all cases, I would rather have left the exceptions to be specified by the Legislature, than have attempted to define all the subjects of jurisdiction.

The bill only means to give the Court jurisdiction in cases of "account," where it is usually the practice to resort to Equity in England. It does not in any case abridge the jurisdiction of the Common Law Courts: I see no objection to this part of the bill.

I would rather not adopt such a provision, till some experience has been had of the Court, (I mean dismissing cases under £25); there may be flagrant cases of imposition or injustice under that amount, which should not go without remedy, though the Common Law Court cannot reach them.

*Third Question.*—We also observe, that the Court of Chancery in New York has jurisdiction in all the matters enumerated in this bill, but with sundry exceptions, additions and limitations, relating to its general powers, duties, jurisdiction, modes of proceeding, &c. provided and declared by express enactments. In the bill before the Committee the Vice Chancellor is invested with extensive powers with regard to forms, fees and disbursements, &c. and the rules of decision and practice of the English Court are also adopted in gross. Will you have the goodness to state whether you approve of the brevity of the bill in this respect, or would prefer the more detailed and particular definition of the powers, duties and forms, exemplified in the Statutes of the State of New York?

*Third Answer.*—I can express no precise opinion on this point, without an examination of the New York Statute referred to.

My inclination is in favour of conferring at first all the powers of an Equity Court in England, (for in principle and intention they are all remedial,) and I would leave it to the Legislature afterwards to restrain or modify wherever they saw a tendency to evil. It is very possible that some of the admitted abuses or inconveniences felt in England would never occur here: they arise from the very different course of dealing with real property, and from a state of things in many respects more artificial than is likely to prevail here. I would plant the tree, and after it had taken root, I would prune any shoots that seemed useless or too luxuriant. It is probable that the State of New York proceeded in that manner.

The English *practice* is not prescribed by this bill, but only the English rule of *decision*: in other words, the English *Law* in matters of Equity. The Vice Chancellor has power to make rules of practice.

APPENDIX L.—(See *Journal*, page 174.)

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

APPENDIX L.

Report of the Select  
Committee, upon  
Chancery Court  
establishment Bill.

*Fourth Question.*—Does not the third clause of the bill give to the Court of Chancery, in all cases of claim for alimony, all the powers possessed by the Court of Chancery in England, by the Ecclesiastical or Spiritual Courts, and even by the High Court of Parliament itself? Does it extend, or can it be construed to extend, the power to decree a divorce *amensæ et thoro*, or to decree any other permanent separation between man and wife, in consequence of which neither party could thereafter legally marry, nor could again cohabit without subjecting any issue of such cohabitation to all the inconvenience and disabilities of illegitimacy?

Be pleased to state your opinion on this subject, and if such powers are intended to be conferred on the Court of Chancery, whether prudence does not require that the Court should not rather have power to meet particular cases: for instance, where the husband refuses to make an agreement for separate maintenance, and treats the wife in such a brutal manner that she cannot live under his roof, &c. &c. &c.

*Fourth Answer.*—I think the intention of the bill is only to allow the Court to decree alimony to the wife when the circumstances are such as to lay a proper foundation for such a proceeding. The Court would have no power I conceive, under this clause, to entertain any proceeding for a divorce, or to disturb in any degree, the relation between man and wife.

*Fifth Question.*—The Vice Chancellor is authorised by the fourth clause of the bill to regulate fees and disbursements, while by the twenty-third clause, a certain schedule of fees is prescribed as a precedent and guide to the taxing of costs. Be pleased to express your sentiments respecting the reasonableness of the several items contained in this schedule, and the expediency of its being established in the manner proposed, while so many other matters are left entirely to be regulated by the Vice Chancellor. Do you consider the fees too high, and is it expedient to establish a scale of fees comparatively low, and based upon an aggregate, approximating to the fees charged in the Court of King's Bench?

*Fifth Answer.*—There is an apparent repugnance between the fourth and twenty-third clauses in this respect. I think it would have been better to have left the matter as it stood in the fourth clause. The Vice Chancellor would then have been obliged to frame a table of fees, and the Legislature would have seen whether it appeared objectionable or not. He would doubtless have conformed, as nearly as circumstances admitted, to the allowances made in other Courts, which are by no means excessive.

*Sixth Question.*—What are the advantages of the mode of taking testimony prescribed by the fifth clause of the bill, over that which is understood to be observed in the English Court of Chancery?

*Sixth Answer.*—I think the advantages of having witnesses examined *viva voce*, (when it is practicable,) are unquestionable. It is always more satisfactory. A searching cross examination often detects the intention to conceal or prevaricate, and the demeanor of a witness aids much in giving satisfaction to the mind. Besides, experience proves that depositions may be artfully drawn, so as to produce a false impression, and yet screen the deponent from the guilt of perjury; and many persons in the world, will subscribe to a written affidavit without much scruple. It is best they should be made to tell their own story.

*Seventh Question.*—By the eleventh clause of the bill, the Vice Chancellor may decree payment for improvements to mortgagee in possession. By implication, does it not preclude him from the same consideration to the interests of an assignee in possession?

*Seventh Answer.*—This provision I conceive would extend to an assignee; that must undoubtedly have been intended; but it would have been better to have expressed it.

*Eighth Question.*—Is it contemplated by this bill, that the Court of Chancery shall have power, on the ground of Equity of Redemption or inadequacy of consideration, to interfere with mortgaged estates in possession of mortgagee, or assigns, or purchasers at Sheriff's sales; and if so, is it not expedient, and would it not promote the ends of justice, to restrain the Court from interference in such cases?

*Eighth Answer.*—It must doubtless be intended that the Court of Chancery shall have power to allow mortgagors to redeem.

The mere ground of inadequacy of price, is seldom if ever entertained in Equity as a reason for interposing, though it is very often taken into consideration as an ingredient in a case where fraud or imposition is imputed.

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There can be no danger, I think, in allowing a Court of Equity here to proceed on the same principles as the Court of Chancery in England; they are not arbitrary or dangerous, but sound and well established, and are in advancement of justice.

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There is no ground, as I conceive, laid by this bill for interfering in regard to Sheriff's sales, in particular.

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*Ninth Question.*—Is it desirable that the Court at the time of its establishment should be empowered to extend to mortgagors the advantage of Equity of Redemption, to a period antecedent to the 1st of January, 1827? Real estate, it is well known, passes in this country very rapidly from one owner to another, and land, which when mortgaged may have been in its original wild state, frequently becomes after five, or six, or more successive transfers, well cultivated and improved. Is it advisable, taking these circumstances into consideration, that a mortgagor should be allowed the privilege of redemption, after the mortgagee, or some assignee or purchaser, has been in possession for the space of ten years? Is it advisable in any case, except perhaps when the mortgagor has been an infant, or married woman, or that the mortgagee had treated the estate within that time as liable to be redeemed, or that some other special circumstance existed?

*Ninth Answer.*—I look upon this as one of the most difficult considerations attending the establishment of the proposed Court. We adopted the law of England in 1793, and by that law mortgagors have always had an Equity of Redemption as in England, though they have had no means of availing themselves of it, after they have parted with the possession for want of a Court in which to file a bill to redeem. It would seem unjust on the one hand, that the lapse of twenty years should preclude a man, when he had not within that twenty years, any remedy within his power; and on the other hand, the knowledge that there was in effect no Equity of Redemption, may reasonably have encouraged mortgagees, or their assigns, and especially after a long time has elapsed, to consider the estate as absolute, and to deal with it accordingly.

When the sum originally secured by the mortgage was nearly equal to the value of the property, one would feel an inclination, under such circumstances, to treat the estate of the mortgagee as absolute; but where the sum was but small in proportion to the value, the inclination would be to grant relief, unless the circumstances were such as to create peculiar difficulties. It is impossible to go minutely into this question at present. I conceive it would be difficult, if not impracticable, to lay down by a general law any rule that could operate justly in all cases. The appointment of a good Judge, with unfettered discretion in each case, and a proper appeal from *his decision*, seems the best method of meeting the difficulty.

*Tenth Question.*—Should a time be stated after which the twenty-second section should cease to operate in behalf of the parties therein-described?

*Tenth Answer.*—I think that provision as it stands is objectionable.

*Eleventh Question.*—Is it not desirable that in three years, or some other specific term after the establishment of the Court of Chancery, that the retrospective powers of the said Court should cease, in so far as regards all cases of mortgaged estates, where the cause of action arose twelve months anterior to the establishment of the Court?

*Eleventh Answer.*—When a Court is established, it will be open to mortgagees to file their bill to foreclose.

*Twelfth Question.*—Be pleased to state your opinion of the bill generally, whether it comprises all that can be desired in such a measure, and whether it contains any objectionable matter, not referred to in the foregoing questions.

*Twelfth Answer.*—I think the bill sufficient in its provisions, and judiciously framed in general to meet the object. In its present shape it would establish the Court, in my opinion, on a good footing as to all essential points; though there are some particulars in which I think it could be made better.

(Signed) JOHN B. ROBINSON,  
CHIEF JUSTICE.

23rd February, 1837.

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*THE SAME QUERIES put to the Honorable Mr. JUSTICE SHERWOOD, and his Answers thereto.*

Report of the Select Committee, upon Chancery Court establishment Bill.

*Answer first.*—I think the increased population of Upper Canada, the commercial transactions consequent on that state of things, and the relative rights which necessarily accompany the ownership of real property, require a separate tribunal for the proper examination and adjustment of all equitable interests. The same enquiry as the present was made a few years since, but the necessity of such a measure was not so apparent then as it is now. The rapid growth of our internal and external resources is the primary cause of the difference in the aspect of public affairs, so far as relates to the judicature of the country.

*Answer second.*—The second section of the bill appears to me sufficiently precise in its terms to define the intended jurisdiction of the Court of Chancery in this Province. In all matters enumerated in that clause, the Court is to have the like power and authority as the Court of Chancery has in England. My present impression is against any limitation of this jurisdiction, till the test of experience may prove the expediency of some change or modification of the system.

*Answer third.*—By the fourth section of the bill the Vice Chancellor is empowered to settle the process and practice of the Court, as well as the amount of all fees and disbursements to be taxed to the parties litigant. I incline to think he should be allowed to do this, as it must be always presumed that he will act in the discharge of his public duty conformably to the spirit and intention of the law, which expressly enjoins him to establish the rules of practice, and the scale of costs in such a manner as will best facilitate the despatch of business, and occasion the least expense to the suitors.

*Answer fourth.*—The Court of Chancery in England has no power of divorce. The latest decisions in that country appear not to recognize any authority in that Court to vary the rights and duties of the marriage state, or to decree even a partial dissolution of the contract.

If articles of separation are voluntarily entered into by husband and wife, a Court of Equity may enforce the specific performance of them, and order a separate maintenance as an equitable consequence of such an agreement; but whenever the parties become reconciled, and desirous of living together again, the articles are no longer considered by the Court of Chancery as binding upon them.

If the third clause of the bill is intended to give the Court of Chancery here the authority of pronouncing a sentence of divorce *a mensa et thoro*, I am not prepared to approve of such a principle; the policy of the measure appears to me doubtful. My present impression, however is, that the language of the third section of the bill would not be construed to give the Court a power of divorce.

It enacts, that the Court shall have the like authority and jurisdiction in all cases of claim for alimony as is possessed and exercised by any Ecclesiastical or other Court in England. I think that the jurisdiction of the Court would only attach when the claim for alimony is made; and I do not perceive how that could be done till a divorce is formally pronounced by some competent tribunal. A power to divorce, however, is not expressly given to the Court of Chancery in this Province; and I think such an authority cannot be created by implication, in accordance with the spirit of our Constitution. The total absence of the third clause would not, in my estimation, diminish the general usefulness of the bill.

*Answer fifth.*—I think the scale of fees stated in the schedule of the bill is high in some particulars. In my view of the subject, it would be better to direct the Vice Chancellor to establish a general table of fees, and to submit it to both Houses of the Legislature for their inspection and decision, at their next Session after the establishment of the Court. In the interim, the Vice Chancellor might be allowed to tax all fees and disbursements upon his own responsibility without any danger of oppression. The table of fees in the Court of King's Bench might serve him for a general guidance, till the approbation of the Legislature could be obtained to the scale of fees formed by himself.

*Answer sixth.*—In the Court of Chancery in England the ordinary course of examining witnesses proceeds by depositions in writing, although the Chancellor, on some extraordinary occasions, takes "*viva voce*" evidence: still this latter mode of proceeding very rarely occurs. The examination of witnesses by written depositions has been very pertinently characterized by an eminent Chancellor as a "frail and imperfect mode of examining into facts." A "*viva voce*"

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examination appears to me more eligible. The looks, the manner, and the general deportment, of a witness are all important, either to confirm or discredit his testimony, and long experience in forensic pursuits clearly proves, that nothing so suddenly and effectually confounds fiction and fraud as an able cross-examination of an unwilling witness. All those prepossessions which influence and bias a witness in favour of one party and against the other, are by this mode of examination generally discovered, exposed and rendered powerless, and the great ends of justice thereby promoted.

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*Answer seventh*—I think the provision in the eleventh section of the bill, does not extend to the assignee or assignees of the mortgagee; but I am clearly of the opinion, that it would be more equitable and just that it should extend to all of them.

*Answer to the eighth and ninth Queries*.—I think it is intended by this bill, that the Court of Chancery here should proceed in favour of a mortgagor in the same manner, and to the same extent as in England, whenever it appears that an Equity of Redemption exists, according to the known principles of equity. Where there is a clear Equity of Redemption, the mortgagor may redeem in England at any time within twenty years after the legal estate and possession vested in the mortgagee. In Equity, a mortgagee is only considered as a trustee, and the deed of mortgage as a security only for the money lent, and no estate in reality passes to the mortgagee in Equity by force of the conveyance. The right of redemption, however, is considered in Equity as an estate in the land itself, and may be granted by deed, or devised by will. As our Legislature introduced the law of England into this Province at a very early period, I can see no good reason to vary from the equitable part of it, except so far as it is necessarily varied by Acts of Parliament passed in England or in this Province. A creditor in this country generally takes a bond and mortgage simultaneously to secure his debt, and often recovers final judgment on the bond, and proceeds to sell the lands of the defendant under a writ of *feri facias*, issued by virtue of the Statute, 5th George 2nd. Under such circumstances, if the mortgagee or a stranger should purchase the mortgaged premises at Sheriff's sale, I think such purchaser ought to be considered as the owner of the Equity of Redemption, because, the mortgagor has ample time to redeem between the entry of final judgment and the sale of the land, which never takes place in less than fifteen months, and generally at a more distant period. There is also a further reason for this opinion; my present impression is, although the point has not yet been decided, that the Equity of Redemption may be sold by the Sheriff under an execution against the lands of the debtor, by virtue of the Statute, 5th George 2nd, chapter 7th, and in that case, a mortgagee who has the legal estate under the deed of mortgage, and the equitable estate under the Sheriff's sale, must possess an unconditional title to the land. With respect to the smallness of consideration, I believe that a Court of Equity never interposes on that ground alone, where no fraud exists, or is imputed. If fraud be established, then indeed the Court should always take cognizance of the matter.

*Answer tenth*.—The Bar of Upper Canada is both numerous and respectable, and the legal attainments of its members are equal, in my opinion, to those of the English or Irish Solicitors who would be likely to emigrate to this Province.

The principles of Equity are so nearly allied to the Common Law principles, that a thorough knowledge of the latter must necessarily include a knowledge of the former in all its essential parts. With respect to the practice of a Court of Equity, I think that a person who is well acquainted with the practice of the Common Law Courts in England, and of the Court of King's Bench in this Province, would find little time or labour requisite for acquiring a competent knowledge of the practice of that Court. I cannot therefore believe that the assistance of English or Irish Solicitors is necessary, either for the establishment or the continuance of a regular practice in an Equity Tribunal, and I am not convinced that the provision in question can be sustained on the principles of justice, or on the basis of policy. It appears to me unjust to allow Attornies and Solicitors from England and Ireland, or from the Colonies, to practice in our Courts without a previous clerkship in this Province, at the time when our Attornies are refused a reciprocal privilege in their Courts. It is taking an exclusive right from our Attornies without exacting any return, and I think all the present members of the Bar would have just cause of complaint. Public policy seems also to be against this part of the bill. Can any one doubt that it is politic to encourage the youth of the Province in acquiring a knowledge

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of the laws of their country! Members of the Legislature and Magistrates cannot be greatly useful to society without it. A still more extensive knowledge of the constitution and laws of the country are necessary for the members of the legal profession, while much time and money must be expended by them in acquiring it, and no prudent man would hazard the enterprise without a reasonable prospect of remuneration. I incline to think, that in proportion as Solicitors emigrate to this country, the study of the law by the youth of the Province will diminish. Extend a privilege of this kind to a great number of men, and it is only a name, and I believe that no precedent in modern legislation can be cited for its support.

*Answer eleventh.*—I think the mortgagor should have the same rights as in England, unless the Equity of Redemption has been transferred at Sheriff's sale, by virtue of the British Statute, 5th George 2nd, chapter 7th, already mentioned.

*Answer twelfth.*—It would be exceedingly difficult, if not altogether impracticable, to detail in an Act of the Legislature, the general powers, duties and practice, of a Court of Equity. The safest course, in my opinion, is to introduce into this Province the general system of Equitable Jurisprudence which at present obtains in England.

It is often asserted, that a Court of Equity is guided only by the discretion of the Judge, but such an opinion is altogether unfounded. The cases which occur in Equity are indeed numerous, and continually vary from each other; but they are decided on fixed and certain principles in general, and the settled resolutions of a Court of Equity, respecting personal property or the title to lands, are never shaken or disturbed. Every case is accompanied by its own peculiar circumstances, but a decided point is not allowed to be discussed, and the adjudged principle is uniformly applied to each particular case as it occurs. The present system of Equity in England is undoubtedly more perfect than any other, and we may therefore safely adopt it as the surest guide in the first attempt to administer Equity in this Province by a distinct and independent tribunal. I cannot say that no objection exists to other parts of the bill not alluded to in these answers, but upon reflection, I find I should want a longer time to form a decisive opinion respecting them than the present juncture allows; and I also think it probable, that I should ultimately come to the conclusion, that it is better to make an experiment of the present bill than to substitute new clauses for those which are only questionable, and do not clearly appear to be inadmissible.

(Signed) L. P. SHERWOOD.

Toronto, 24th February, 1837.

*THE SAME QUESTIONS put to the Honorable Mr. JUSTICE MACAULAY, and his  
Answers thereto.*

TORONTO, 24th February, 1837.

SIR,

In compliance with the request of the Select Committee of the Honorable the Legislative Council, conveyed in your letter of the 22nd instant, which I received yesterday morning, I have the honor to return the queries proposed to me, with answers appended.

In replying to these questions as satisfactorily as the pressure of the occasion will admit, I beg to be understood as speaking in a private capacity, individually, and not judicially, or officially as a Judge.

I have the honor to be,

Sir,

Your most obedient humble servant,

(Signed) J. B. MACAULAY.

The Honorable CHARLES JONES, &amp;c. &amp;c. &amp;c.

*First Answer.*—I think the present exigencies of the country might be supplied in either way; but a permanent measure seems to be contemplated, and the reasons are weighty which operate in favor of the respective plans.

*Second Answer.*—It is very comprehensive, and embraces within its ample outlines, the principal part of English Equity. If it is desired to define the jurisdiction with precision, or to limit its extent, the bill is manifestly imperfect. Perhaps the object of the Legislature could

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be attained with greater facility by imparting a general jurisdiction, subject only to declared restrictions, rather than by attempting to prescribe affirmatively the special authorities intended to be conferred. The sense of the New York Legislature is shewn in the limitations mentioned, founded upon long experience; were it not for this, I should not have thought it expedient to curtail the jurisdiction in point of amount. If done, the right of resort to the Court should, by affidavit or otherwise, be determined in limine if possible, before ulterior proceedings or expenses shall be incurred.

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*Third Answer.*—The New York jurisdiction was originally very extensive; subsequent additions or restraints are the result of experience.

Brevity is not objectionable, if the whole law and practice of Equity are to be adopted; should it be thought more expedient to display the system in full detail upon the face of the Act, the present bill is obviously imperfect, and it would require much time and trouble to digest such a law. The difficulties dispose me to favour a general authority, subject only to specified exceptions; but I do not regard this as insurmountable, and could it be skillfully accomplished, a digested code and practice embodied in the Statute would be preferable.

I am rather an advocate for codification; but any such undertaking requires much learning and diligence in the compiler, and perhaps the course pursued in this bill, will upon the whole, be found the most convenient and useful, as well as the readiest method of constituting an Equitable Tribunal. If desired, a more expanded system might be prepared by a Law Commission, or by the Vice Chancellor, should the Court be created, to be submitted to the Legislature hereafter. The subject is no doubt important, and there is no time left for any very copious alterations during the present Session. I have not seen the New York Statute mentioned in this question.

*Fourth Answer.*—Alimony pre-supposes a separation by express articles, or by implication as a divorce. The Ecclesiastical Courts can decree *a mensa et thoro*, and alimony is considered incidental to such authority. It is allowed *pendente lite*, or permanently, after the decree of a divorce. The Chancery disclaims the right to divorce, or order a permanent separation, but awards alimony where a previous separation has taken place, either by mutual agreement or through the medium of an Ecclesiastical Court. But though alimony is incidental to divorce or separation, it does not follow, that a power to divorce is incidental to the right to allow alimony; yet under the terms of this bill, it might be claimed with plausible reasoning. I can offer no opinion as to what would be its judicial construction were it to become a law, but if doubtful, an explanatory amendment would be advisable, either recognizing or denying the right of divorce. The Chancery in New York possesses this power. When I speak of a divorce, I mean merely a divorce from bed and board, not an absolute rescission of the marriage contract; a divorce of the latter kind would not accrue to the Court under this bill; but one of the former description (if authorised) would entail the consequences supposed in this query.

Adultery and gross ill-usage are the principal grounds for granting divorces *a mensa et thoro* in the Ecclesiastical Courts in England.

*Fifth Answer.*—I am unable to speak satisfactorily. The allowances do not strike me as unreasonable; but the costs must greatly depend upon the practice of the Court; the nature of the proceedings; the length of the pleadings, briefs and other writings; and the number of witnesses, &c. A settled practice must precede a perfect tariff, for the fees must of course be adjusted by the practice. The presiding Judge might gradually frame both, and under a compendious system of practice several of the items in the present table might be dispensed with; others would no doubt be introduced; but simplicity, brevity and economy, should be studied in all the internal arrangements. The following items appear questionable: Nos. 3, 10, 11, (perhaps 12,) 13, 24, 25, 27, 28, 29. I would endeavour to obviate such services and charges, at least it would be well to authorise the Chancellor to modify the scale given, either in items or amount, as might hereafter be found expedient.

*Sixth Answer.*—The detection of falsehood, and a better opportunity to the Judge, who is to decide upon the merits, to appreciate the testimony of the different witnesses.

*Seventh Answer.*—First impressions would prompt me to think, that the implication would be the other way; an assignee would come within the equity of the rule. This clause evinces an intention to sanction redemption, notwithstanding change of possession.

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*Eighth Answer.*—It might well bear the construction supposed, at least over all cases arising within twenty years. It would be just to render Sheriff's sales equivalent to sales under decrees in Chancery, where the purchasers have satisfied and become assignees of the mortgagees; for the debtors might have prevented such sales by paying off their debts. It is however a floating question, whether an Equity of Redemption can be legally sold under a writ of *feri facias*; in the State of New York, it is expressly prohibited. Where the possession has been long changed, or *bona fide* sales made for fair value by absolute conveyances, duly registered, it might in many instances be equitable to protect the parties; but it would require some consideration to frame a clause on this subject; and if approved in principle, perhaps discretionary powers in the Court on all such occasions, to be exercised according to the circumstances of each case that might come before it, would be most expedient. Redemption might thus be granted or withheld, as justice might require.

*Ninth Answer.*—This is matter of opinion, and rests in the wisdom of the Legislature. Many reasons could be urged in favour of abridging the period now allowed for redemption in this Province. The time varies in the different neighbouring States, and while mortgagees can derive so little advantage from yearly profits or otherwise than by actual sale, the analogy between this country and England does not hold; but whenever a Court is established, a creditor may, at any time after forfeiture, file a bill to foreclose or for a sale, which would be decreed, subject to such short delay in favour of the debtor as might seem equitable. The future would be attended with quite as little embarrassment as the past. The parties to all subsisting mortgages have vested interests under the law as it now prevails: and although not an insuperable barrier, any innovations demand cautious deliberation. No such consideration could influence future transactions, if the law were now to be altered prospectively.

*Tenth Answer.*—That depends upon the light in which the principle is viewed. If the privilege results of right out of the relations which a Colony bears to the Parent State, it would be permanent; if it only forms a matter of temporary expediency, it might cease at the end of a series of years, without detriment to the public interests. Upon the main point I advance no opinion.

*Eleventh Answer.*—The past and future ought, upon principles of abstract justice, to range under the same rule. If not deemed expedient, a discretion might be vested in the Court in relation to the former, to the exclusion of the latter. It should be borne in mind, that any creditor so disposed might go into Equity within a less period than three years, and obtain a decree of foreclosure or sale; in the present shape of the bill it would be in the discretion of each individual to forbear or pursue his debtor's estate.

I have formed no opinion touching the propriety of a general limitation of the kind suggested.

*Twelfth Answer.*—I approve of the principle of the bill, but do not possess sufficient familiarity with the law and practice of Equity to enter promptly upon a minute analization or criticism of its contents. To do so, I should require time for previous research, study and reflection. Much would in its present shape depend upon the qualifications, assiduity and judgment, of the Vice Chancellor. He might lay down rules of practice, and adjust a tariff of fees adapted to the business of the Court, exercising a very general jurisdiction.

To prepare a codified system, or materially to alter or extend the present bill, would require the aid of competent professional men, and more time than the duration of the present Session would afford.

The leading question seems reduced to this—Whether copious amendments should be introduced into the present bill, in which case it must be deferred; or whether it should be passed in its present shape, and the Act be hereafter amended by a series of more specific provisions, deliberately prepared by the Vice Chancellor, or the Members of the Legislature.

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THE SAME QUERIES put to ROBERT S. JAMESON, Esquire, Attorney General,  
and his Answers thereto.

*First Answer.*—I am of opinion, that to attempt any such incongruous union of jurisdictions would be inexpedient; and taking into consideration the difference of the mode of proceeding in suits at law and equity, I doubt its practicability.



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*Second Answer.*—I think the jurisdiction of the Court sufficiently defined by this clause. My objections to it are *formal* only: some of the items of jurisdiction, mentioned being reducible to one common generic title; for instance, “matters relating to Executors, &c. and matters relating to mortgages, &c.” being referable to the jurisdiction of the Court in respect of *trusts*. This, however, has only arisen from the caution of the framer not to omit any thing essential.

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With respect to the jurisdiction given, or rather declared in matters of *account*, it never can supersede that of the Courts of Common Law, but rather operate in aid of it, by the power possessed by Courts of Equity to compel the discovery of evidence.

With regard to suits for trifling amounts, not involving any matter of principle, it does not, I conceive, require a legislative enactment to prevent a Court of Chancery from entertaining any such.

*Third Answer.*—I do not see any objection to this clause. It is absolutely necessary that in order to adapt them to the exigencies of the country, the rules of practice and docket of fees should first be tested experimentally, and not at the outset be fixed by Act of Parliament.

*Fourth Answer.*—The third clause does not, I conceive, give any such power as is suggested, nor any thing more than the authority to decree a separate maintenance as against the husband, under circumstances analogous to those which would induce the Ecclesiastical Court to decree *alimony*: giving, in fact, to the Vice Chancellor a kind of original jurisdiction to decree a separate maintenance, which may be exercised by the Chancellor of England upon writ of *supplicavit*—a practice obsolete in England, but which might not be inexpedient here, where there does not exist any such concurrent jurisdiction as that of the Ecclesiastical Court. No power of divorce could possibly be inferred from this enactment.

*Fifth Answer.*—The twenty-fifth clause is, I am of opinion, merely explanatory with regard to the amount of fees “as a guide to the Master in taxation,” as far as the same shall be applicable, and that only in the particular suit mentioned; and that it does not deprive the Vice Chancellor of the power given to him generally by the fourth clause, of modifying and diminishing any of them, which in practice may be found to bear heavily upon the suitor. The scale, as suggested by the bill, appears reasonable.

*Sixth Answer.*—Part of the evidence must necessarily be taken according to the ancient system, so long as the proceedings in Chancery are by bill and answer: and generally, I apprehend, that the convenience and interest of the parties will cause the exception mentioned in the fifth section to be more frequent than the rule.

There may, however, result great advantages from the *viva voce* examination of witnesses in a cause where secret interest or bias may exist: there being less time to deliberate and evade disclosure of the truth, and greater opportunity to the other side immediately to cross-examine with full knowledge of the examination in-chief.

*Seventh Answer.*—This rule would apply alike to mortgagee or assignee. I am inclined to think this clause unnecessary: the practice being in this respect sufficiently settled.

*Eighth Answer.*—Inadequacy of consideration is not in itself ground for the interference of a Court of Equity. In all matters relating to mortgages, I conceive, that the Court would feel bound to decide with express reference to the state of the law and judicial institutions of the Province when the mortgage was given, and the existing legal remedies in the contemplation of which the parties entered into the contract; and that rights acquired according to such laws, and with a full knowledge of such remedies, cannot now be shaken, unless those rights were acquired by fraud. In this respect no new principle is introduced, since even at law such titles would be equally vitiated by fraud, if a Court of Law possessed the same power of discovery as is possessed by the Court of Chancery.

*Ninth Answer.*—The answer to this question appears to be contained in that to question eight. I think it would be best to leave the Court unfettered by any rules, except those by which, as a Court of Equity, it would in its very nature be bound; that its interference should be limited, not by a particular time, but by the question of fraud or no fraud, in acquiring the possession predicated.

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*Questions tenth, eleventh and twelfth.*—Upon the remaining three questions I would respectfully observe, that the matters alluded to should be made the subject of a bill to amend the present one, if upon those and other points it should be found necessary to legislate at a future Session. That some amendment, after a year or two of experience, will be found necessary I have no doubt, and that too in respect of matters which may not even have occurred to the Committee. As the bill stands, I think it is calculated to relieve the country to a very great extent, and that its slight imperfections, which after a short trial will be ascertained and cured, cannot in the meantime be productive of the smallest serious inconvenience.

All which is most respectfully submitted,

(Signed) ROBERT S. JAMESON,  
ATTORNEY GENERAL.

23rd February, 1837.

*THE SAME QUERIES put to CHRISTOPHER A. HAGERMAN, Esquire, Solicitor General, and his Answers thereto.*

TORONTO, 23rd February, 1837.

SIR,

I have the honor herewith to return you the queries transmitted to me, on the subject of the bill for establishing a Court of Equity in this Province, with my answers thereto.

I have the honor to be,

Sir,

Your obedient servant,

(Signed) CHRISTOPHER A. HAGERMAN,  
SOLICITOR GENERAL.

To the Honorable CHARLES JONES, &c. &c. &c.

*First Answer.*—I am of opinion, that there is an indispensable necessity for the establishing of a Court of Chancery in this Province; a necessity that has long existed, and is daily increasing.

I am of opinion, that the extension of Equity powers to the Court of King's Bench is inexpedient, and that in many cases it would prove embarrassing.

*Second answer.*—I think the powers intended to be given to the Court of Chancery are sufficiently defined.

It is not intended, neither will the bill have the effect of superseding the powers of the Court of King's Bench in matters of account; the remedies in both Courts will continue the same as in England, should a Court of Chancery be established in this Province.

It is in the power of the Chancellor in England to dismiss a suit of a trifling nature, should he consider it of so little importance as not to justify the expense of litigation.

*Third answer.*—I think it would be unsafe to enter into detail on this point in any Act passed at present. When the Court shall have been in operation for a short period, legislation may be had with greater confidence than at present on the subjects referred to in this query.

*Fourth answer.*—It was not intended, neither, in my opinion, can the Court of Chancery exercise (under this bill,) the powers possessed by Parliament in relation to divorce. The jurisdiction of the Court is, in my opinion, limited to the consideration of *claims for alimony*.

*Fifth answer.*—I think it would have been better to have left the scale of fees to be regulated *exclusively* by the Vice Chancellor, and to have omitted the twenty-third clause of the bill. The Vice Chancellor however retains very considerable powers under the fourth clause of the bill, and I do not think that the scale laid down in the schedule to the twenty-third clause can be considered as excessive. Some items might be decreased and others increased without injustice, leaving the aggregate amount the same.

## APPENDIX M.—(See Journal, page 186.)

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

*Sixth answer.*—The advantage of seeing the *manner* in which a witness gives his testimony, and subjecting him to a close cross-examination. The mode of taking testimony in England has been objected to by many eminent men, and I believe some change has recently taken place there. I think the mode proposed in the bill will moreover be found the least expensive, and less likely to lead to prolonged litigation.

*Seventh Answer.*—In my opinion, unquestionably not.

*Eighth Answer.*—Any restraints in these respects would, in my opinion, interfere with *Equity*; but the Vice Chancellor must be regulated by law, in cases where any positive law exists, and where none does exist, his decrees will of course be regulated by the equitable claims of *all parties* interested in the estate.

*Ninth Answer.*—I think this matter, if deemed worthy of consideration, should be the subject of separate legislation; it could not properly, in my opinion, be introduced in the present bill. Much may be said in favour of a measure of this description; but I am not prepared to say that any mortgagor should be deprived of his *Equity of Redemption*, or have that right interfered with as regards *past mortgages*: it is to be presumed that this right was well understood, and in contemplation of all parties at the time of the execution of these securities.

*Tenth Answer.*—I think it very questionable, whether this clause is a judicious one; but its effects will, in my opinion, prove of no importance to the success of the bill. The objection is of a limited, not general character.

*Eleventh Answer.*—I am not prepared to answer this question, but I think it deserving of consideration as a distinct measure. In my opinion, it ought not to form a part of the present bill.

*Twelfth Answer.*—It is very possible that the bill will be found defective in some of its enactments; but, in my opinion, there is no clause in it that will operate to the disadvantage of the community: but on the contrary, its general effects will be of the most beneficial character to the people of the Province generally.

Experience will point out the necessary amendments, and the Legislature may be safely trusted to for their adoption.

(Signed) CHRISTOPHER A. HAGERMAN,  
SOLICITOR GENERAL.

## APPENDIX M.—(See Journal, Page 186.)

## TO THE KING'S MOST EXCELLENT MAJESTY.

MOST GRACIOUS SOVEREIGN:

We, Your Majesty's dutiful and loyal Subjects, the ——— House of Assembly of Upper Canada, in Provincial Parliament assembled, most respectfully beg leave to represent:

That the Legislature of this Province having witnessed the loss of a great part of the commerce of the Western Country bordering on our extensive inland water communications, by their connection with the Hudson River, in the State of New York, by means of Canals, appropriated in 1833, the sum of £350,000 for the purpose of constructing a Ship or Steamboat Canal on the St. Lawrence, on a scale commensurate with the magnitude of that noble River.

That during the ensuing year or succeeding one, those works will be so far completed as to admit the passage of a Steamboat from Lake Ontario to the Coteau du Lac, within the boundary of Lower Canada.

That although a Canal of only twelve or fourteen miles in length is necessary to connect that point with the Ocean, thereby rendering those great inland Lakes to all intents and purposes a Sea-coast, the Legislature of Lower Canada have as yet taken no steps to forward that improvement.

That as the products of this Province for exportation or consumption will be subject to tolls, for the re-payment of the outlay thus made, and as the Legislature of Lower Canada have as yet manifested no interest in the prosecution of this work, it is not reasonable to expect they would oppose the work being carried on and finished through that part of Lower Canada, above the navigable part of the St. Lawrence, at the expense of the Legislature of this Province:—

APPENDIX L.

Report of the Select  
Committee, upon  
Chancery Court  
establishment Bill.

APPENDIX M.

Address to the King,  
on the subject of the  
improvement of the  
Navigation of the  
River St. Lawrence.

APPENDIX N.—(*See Journal, page 189.*)

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

## APPENDIX M.

Address to the King,  
on the subject of the  
improvement of the  
Navigation of the  
River St. Lawrence.

We, Your Majesty's faithful Subjects, the ——— House of Assembly, therefore pray Your Majesty may be pleased to recommend to the Legislature of Lower Canada to adopt such measures, as may enable this Province to complete such portions of the work within the Province of Lower Canada, as may be necessary to effect so desirable and important an object.

That whatever portion of the American trade we may regain to the original and natural channel of the St. Lawrence, will tend to cheapen the tolls for the products of Your Majesty's Subjects within this Province, and tend to promote the general interests. That it will in no way interfere with the shipping interest or commerce of the Mother Country, or any of her Colonies, as it will only have a tendency to divert the American transit from New York and their Canals to their ports bordering on Lake Erie, through the waters and Canals now constructing within this Province.

We therefore pray Your Majesty will be pleased to call the attention of the Imperial Legislature, at an early period, to the propriety of throwing open the River St. Lawrence to the American trade.

(Signed) ARCHIBALD McLEAN,  
SPEAKER.

*Commons House of Assembly,*  
Eighth February, 1837.

## APPENDIX N.

APPENDIX N.—(*See Journal, Page 189.*)

Address to the King,  
on the subject of the  
Post Office Department.

## TO THE KING'S MOST EXCELLENT MAJESTY.

MOST GRACIOUS SOVEREIGN:

We, Your Majesty's dutiful and loyal Subjects, the ——— Commons of Upper Canada, in Provincial Parliament assembled, humbly approach Your Majesty with our respectful representations relative to the proper organization and management of the Post Office, which we consider an object of importance to all Your Majesty's Subjects, inasmuch as they depend on that Department for the safe and regular conveyance of public and private correspondence between the various and distant parts of the Empire, and with foreign countries.

By an Act of the Imperial Parliament, passed in the fourth year of Your Majesty's reign, authority has been given to the local and independent Legislatures of Your Majesty's North American Provinces, to levy rates of internal postage on letters and packets, and to make regulations for the management of the Post Office within such Provinces respectively by Your Majesty's Post Master General; it being also provided, that the surplus revenue which might arise from the collection of such rates should be applicable to the use and benefit of the several respective Provinces, in proportion to the gross amount of the rates of postage raised and collected within each, until the distribution thereof should be otherwise ordered by the concurrent Acts of the local Legislatures.

In conformity to this Act, which appears to have been founded on the representations from time to time made to Your Majesty, by the Legislature and inhabitants of several of Your Majesty's North American Provinces, a bill for the management and regulation of the Post Office within each of those Provinces was, by desire of Your Majesty's Secretary of State for the Colonies, submitted to the Legislature of this Province by His Excellency Sir John Colborne in the year of 1835, together with an extract of a Despatch on that subject from the Secretary of State, in which a benevolent hope is expressed, that the measure thus proposed would prove the means of settling an important question to the satisfaction of all parties; but the Right Honorable Secretary of State for the Colonies proceeds to observe, "that in order to give effect to this measure, and establish a practicable system, a uniformity of views should pervade the bills passed by the Legislatures of the several North American Provinces."

On mature consideration of the principle and details of "the bill for the management and regulation of the Post Office in Upper Canada," and the Legislative proceedings on this question in this and the neighbouring Provinces, we have failed to discover reasonable grounds for hoping, that the several Colonial Legislatures will soon (if indeed they ever will) arrive at such uniformity in their enactments for the management of the Post Office within their respective localities, as would ensure the establishment of a practicable system, more especially since it is admitted, that the bill of one Legislature, in order to become effective, must correspond in all material

**APPENDIX N.—(See Journal, page 189.)**

SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

provisions with the bills of all the other Legislatures, and that after all these bills have been found to correspond with one another, and had in consequence thereof become laws, no alteration in them, however expedient it might be deemed by one Legislature for the improvement of the system, could be carried into effect until agreed to by each separate Legislature.

Conceiving therefore the judicious regulation of the Post Office to be necessary for the encouragement and convenience of commerce, and eminently calculated to strengthen the ties that connect the several portions of Your Majesty's Dominion with one another, it would, in our opinion, be advantageous to the inhabitants of this Province, by most effectually providing for the regular, safe, speedy and economical transmission of the correspondence, both public and private, to and from the same, if instead of suffering this great Department to be controlled by local legislation in each Province, the exclusive power of framing laws for its government and management, as well in Upper Canada as in all other parts of Your Majesty's Empire, were still retained by the Imperial Parliament.

Fully impressed with the expediency of continuing the Post Office Department in its proper character of an Imperial Institution, regulated by uniform laws, and ensuring to Your Majesty's Subjects the means of ready communication with all parts of the world, we humbly beg leave to state our opinion, that the just and reasonable wishes of the people of Upper Canada would be fully satisfied, if the present laws and regulations of the Post Office within Your Majesty's North American Provinces were modified by the Imperial Parliament, according to the following propositions:—

1st.—All proper and necessary information respecting the management and condition of the Department within this Province to be supplied by the Deputy Post Master General of British North America, or his Chief Assistant, or Deputy here, when demanded by either branch of the Legislature; a similar course being pursued, if acceptable, in the other Provinces.

2nd.—The Accounts of the Department for the whole of the North American Colonies to be annually transmitted to the Lieutenant Governor of this Colony, between the 5th day of July and the 5th day of October in each year, in such order and form, and including such details as may be thought reasonable and convenient.

3rd.—Complaints against the Deputy Post Master General, preferred by petition to the Legislature, to be enquired into by Your Majesty's Government, and disposed of as soon as possible, if countenanced and supported by a Joint Address from both Houses of the Legislature.

4th.—The table of rates of postage on letters and packets, and also on newspaper and printed sheets, to be not less than the following:—

**PROPOSED TARIFF OF POSTAGE.**

From 1 to 50 miles inclusive, .....	4d. currency.
Do. 50 " 150 do. do. ....	8d. do.
Do. 150 " 300 do. do. ....	10d. do.
Do. 300 " 400 do. do. ....	1s. 0d. do.
Do. 400 " 500 do. do. ....	1s. 4d. do.
Above.....500 do. ....	1s. 6d. do.
Newspapers, ½d. each; pamphlets and other printed papers, 1d. per sheet.	

His Majesty's Post Master General, or his Deputy, in British North America, to have the right of deciding what is a newspaper under this Act, and what a pamphlet; and the privilege of franking to be allowed as follows, and to no greater extent:—

To the Lieutenant Governor.

“ “ Civil Secretary to the Lieutenant Governor.

“ “ Members of the Legislative Council, and House of Assembly, while in attendance, during each Session.

“ “ Post Office Department.

5th.—The Deputy Post Master General in British North America, to be granted a certain fixed Salary, with established allowances for office assistance and other incidental expenses, in lieu of all fees and perquisites.

APPENDIX O.—(See *Journal*, page 212.)

FIRST SESSION THIRTEENTH PROVINCIAL PARLIAMENT, 7th WILLIAM IV.

## APPENDIX N.

Address to the King,  
on the subject of the  
Post Office Depart-  
ment.

6th.—The postage on newspapers and printed sheets to merge hereafter in the general revenue of the Department, the present Deputy Post Master General being allowed such compensation for the abolition of his perquisite on newspapers, as Your Majesty may please to direct.

7th.—Your Majesty's Post Master General to enter into such arrangements with foreign countries, for the transmission of letters, &c. and the collection of postages, as may be found most desirable for the common convenience, and the benefit of the revenue.

8th.—Public accommodation being the primary object in the establishment of the Post Office, it is expedient that the Deputy Post Master General be authorised to make such arrangements for the transport of mails, by Steam-boats or Rail-roads, as he may deem proper.

9th.—A just and equitable portion of the excess of postage, beyond the necessary expenditure of the Department, to be allotted to the several Provinces which, in our opinion, may be determined with sufficient accuracy in the mode provided by the Imperial Statute, viz: in proportion to the gross receipts within each.

10th.—Until the introduction of a new system for the Post Office, the surplus revenue, as at present collected, to be annually distributed among the Provinces, in proportion to the gross receipts within each, and to be subject to the disposal of the local Legislatures for the improvement of the Post-roads, and especially of the Bridges thereupon.

11th.—Such modifications of the rates of postage, and other arrangements for the satisfactory regulation and efficient management of the Department, as the local Legislatures, each by Joint Address from both branches thereof to Your Majesty, may from time to time, shew to have become just and necessary.

We now humbly pray, that Your Majesty will be graciously pleased to take the subject matter of this Address into Your Royal consideration, and recommend to Your Imperial Parliament such a measure relating thereto, as may in Your Majesty's judgment, be considered best calculated to maintain a ready and safe communication by Post between this Province and the other parts of Your Majesty's Empire, and at the same time be consistent with the desires and interests of Your Majesty's Subjects in your other North American Provinces.

(Signed) ARCHIBALD McLEAN,  
SPEAKER.

*Commons House of Assembly,*

Twenty-seventh day of February, 1837.

## APPENDIX O.

APPENDIX O.—(See *Journal*, Page 212.)Address to the King,  
on the subject of the  
Union of the Pro-  
vinces.

## TO THE KING'S MOST EXCELLENT MAJESTY.

MOST GRACIOUS SOVEREIGN:

We, Your Majesty's most dutiful and loyal Subjects, the ——— Commons of Upper Canada, in Provincial Parliament assembled, humbly beg leave to address Your Majesty, expressing the great concern which we feel at the present embarrassed state of the local Government in Your Majesty's Colony of Lower Canada. Though deeply sympathising with that portion of Your Majesty's Subjects whose tranquillity has been disturbed by the long-pending difficulties in that Province; and though fully sensible how fatally our own interests and security are liable to be affected by their possible result, we have hitherto forborne to intrude upon Your Majesty with any expression of our opinions upon the posture of public affairs in that Colony.

That we have not now presumed to address Your Majesty in order to remark upon the policy which has been pursued in the Government of that Colony, which interposes between us and the United Kingdom, but for the purpose which more directly concerns this Province, of stating to Your Majesty our apprehension, that a mistaken view of the condition and interests of the people of Upper and Lower Canada may prompt some persons, inconsiderately, to press upon Your Majesty's Government the measure of uniting these Provinces, as a remedy for existing evils.

APPENDIX O.—(See *Journal*, page 212.)SIR FRANCIS BOND HEAD, K. C. H. *Lieutenant Governor.*

We have for some time passed observed, that suggestions of such a nature have been publicly offered both in England and Lower Canada, and we are not surprised, that our fellow Subjects of that Province, who are suffering under the present difficulties, should be willing to risk the consequences of such an experiment. They may easily persuade themselves, that their situation can scarcely be rendered more embarrassing by the failure of any expedient, and they are not to be blamed, if in the hope of obtaining some relief by the change, they forbear to look carefully into the probable consequences of an union, to the welfare and tranquillity of this particular portion of Your Majesty's Dominions.

We earnestly trust, nevertheless, that Your Majesty will graciously condescend to consider, that the political condition of four hundred thousand of Your Majesty's Subjects cannot be otherwise than most materially affected by so important a change in their Government. We are of opinion, that such a change would expose us to the danger of consequences certainly inconvenient, and possibly most ruinous to the peace and welfare of this Country, and destructive of its connection with the Parent State.

This Province we believe to be quite as large as can be effectually and conveniently ruled by one Executive Government. United with Lower Canada, it would form a territory of which the settled parts from east to west would cover an extent of eleven hundred miles, which for nearly half the year, can only be traversed by land. The opposite territory of the United States, along the same extent of frontier, being divided into six States, having each an independent Government.

The population which Upper Canada contains is almost without exception of British descent. They speak the same language, and have the same laws, and it is their pride, that these laws are derived from their Mother Country, and are unmixed with rules and customs of foreign origin. Wholly and happily free from those causes of difficulty which are found so embarrassing in the adjoining Province, we cannot but most earnestly hope, that we shall be suffered to continue so, and that Your Majesty's paternal regard for your numerous and loyal Subjects in this Colony will not suffer a doubtful experiment to be hazarded, which may be attended with consequences most detrimental to their peace, and injurious to the best interests of themselves and their posterity.

(Signed)

ARCHIBALD McLEAN,

SPEAKER.

*Commons House of Assembly.*

Third day of March, 1837.

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