

JOURNAL,
OF THE
LEGISLATIVE COUNCIL,
OF
UPPER CANADA.

FIRST SESSION OF THE TWELFTH PROVINCIAL PARLIAMENT.



HIS EXCELLENCY SIR JOHN COLBORNE, K.C.B.

LIEUTENANT GOVERNOR.

BY ORDER OF THE HONORABLE THE LEGISLATIVE COUNCIL.

TORONTO:

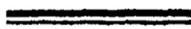
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1835.

JOURNAL, & c.



SIR JOHN COLBORNE, K. C. B. LIEUTENANT GOVERNOR.



PROCLAMATION.

UPPER CANADA.

J. COLBORNE.

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 Satur-
day, 24th May, 1834.

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 Fifteenth day of April instant, to be commenced, held, called and elected, and to every of you :

GREETING.

WHEREAS on the Sixth day of March last, We thought fit to Prorogue our Provincial Parliament to the Fifteenth day of April 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 con- voking, and by these presents enjoining you and each of you, that on Saturday the Twenty- fourth day of May 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 JOHN COLBORNE, K. C. B. Lieutenant Governor of our said Province, and Major General Commanding our Forces therein, at Toronto, this Ninth day of April, in the year of our Lord One Thousand Eight Hundred and Thirty-four, and in the fourth year of our Reign.

J. C.

By Command of His Excellency.

SAMUEL P. JARVIS.

Clerk of the Crown in Chancery.

D. CAMERON,

Secretary.

By a further Proclamation of His Excellency SIR JOHN COLBORNE, K. C. B. Lieutenant Governor of the Province of Upper Canada, dated the Sixteenth day of May, in the year of our Lord One Thousand Eight Hundred and Thirty-four, the meeting of the Legislative Council and House of Assembly stands further Prorogued to Monday the Thirtieth day of June, now next ensuing.

Proclamation for
proroguing the
Parliament to Mon-
day, 30th June, 1834.

By a further Proclamation of His Excellency SIR JOHN COLBORNE, K. C. B. Lieutenant Governor of the Province of Upper Canada, dated the Twenty-sixth day of June, in the year

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

Proclamation for
proroguing the
Parliament to Thurs-
day, the 7th day of
August, 1834.

of our Lord One Thousand Eight Hundred and Thirty-four, the meeting of the Legislative Council and House of Assembly stands further Prorogued to Thursday the Seventh day of August, next ensuing.

Proclamation for
proroguing the
Parliament to Mon-
day, 15th September,
1834.

By a further Proclamation of His Excellency SIR JOHN COLBORNE, K. C. B. Lieutenant Governor of the Province of Upper Canada, dated the First day of August, in the year of our Lord One Thousand Eight Hundred and Thirty-four, the meeting of the Legislative Council and House of Assembly stands further Prorogued to Monday the Fifteenth day of September, next ensuing.

PROCLAMATION.

UPPER CANADA.

J. COLBORNE,

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 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 said Province of Upper Canada, to Dissolve the present Provincial Parliament of our said Province, which stands Prorogued to Monday the Fifteenth day of this present month of September.

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 fifteenth day of this present month of September.

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 JOHN COLBORNE, K. C. B. Lieutenant Governor of our said Province, and Major General Commanding our Forces therein, at Toronto, this First day of September, in the year of our Lord One Thousand Eight Hundred and Thirty-four, and in the fifth year of our Reign.

J. C.

By Command of His Excellency in Council.

SAMUEL P. JARVIS,

Clerk of the Crown in Chancery.

D. CAMERON,

Secretary.

PROCLAMATION.

UPPER CANADA.

J. COLBORNE,

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 our loving Subjects in our Province of Upper Canada :

GREETING.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

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 such our Royal will and pleasure; and we do hereby summon and call together an Assembly in and for the said Province, to meet on Monday the Twentieth day of October, now next ensuing; and we do hereby further declare, that by and 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 our Assembly in and for the said Province; which Writs are to bear teste the Second day of this present month of September, and to be returnable on Monday the Twentieth day of October, now next ensuing.

Proclamation for proroguing the Parliament to Monday the 20th October, 1834.

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 JOHN COLBORNE, K. C. B. Lieutenant Governor of our said Province, and Major General Commanding our Forces therein, at our City of Toronto, this Second day of September, in the year of our Lord One Thousand Eight Hundred and Thirty-four, and in the fifth year of our Reign.

J. C.

By Command of His Excellency in Council.

SAMUEL P. JARVIS,
Clerk of the Crown in Chancery.

D. CAMERON,
Secretary.

By a further Proclamation of His Excellency SIR JOHN COLBORNE, K. C. B. Lieutenant Governor of the Province of Upper Canada, dated the Eighteenth day of October, in the year of our Lord One Thousand Eight Hundred and Thirty-four, the meeting of the Legislative Council and House of Assembly stands further Prorogued to Tuesday the Twenty-fifth day of November, next ensuing.

Proclamation for proroguing the Parliament to Tuesday, 25th November, 1834.

By a further Proclamation of His Excellency SIR JOHN COLBORNE, K. C. B. Lieutenant Governor of the Province of Upper Canada, dated the Seventeenth day of November, in the year of our Lord One Thousand Eight Hundred and Thirty-four, the meeting of the Legislative Council and House of Assembly stands further Prorogued to Monday the Twenty-second day of December, next ensuing.

Proclamation for proroguing the Parliament to Monday, the 22nd December, 1834.

PROCLAMATION.

UPPER CANADA.

J. COLBORNE,

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 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-second day of December, instant, to be commenced, held, called and elected, and to every of you:

Proclamation for calling the Parliament together on Thursday, the 15th January, 1835, for the actual despatch of public business.

GREETING.

WHEREAS by our Proclamation bearing date the Seventeenth day of November last, We thought fit to Prorogue our Provincial Parliament to the Twenty-second day of December, instant, at which time, at our City of Toronto, you were held and constrained to appear.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

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 con- voking, and by these presents enjoining you and each of you, that on Thursday the Fifteenth day of January, now 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 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 JOHN COLBORNE, K. C. B. Lieutenant Governor of our said Province, and Major General Commanding our Forces therein, at our City of Toronto, this Ninth day of December, in the year of our Lord One Thousand Eight Hundred and Thirty-four, and in the fifth year of our Reign.

J. C.

By Command of His Excellency in Council.

SAMUEL P. JARVIS.

Clerk of the Crown in Chancery.

D. CAMERON,

Secretary.

LEGISLATIVE COUNCIL.

UPPER CANADA.

Thursday, 15th January, 1835.

This being the day appointed for the meeting of the Provincial Legislature, at two of the clock P. M.

The House met.

House meets.

Prayers were read.

After which the Oath prescribed by the Statute 31st Geo. 3d, Chap. 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 the 31st Geo. 3d. chap. 31st. administered to the Members of the House.

<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> ALLAN,
<i>The Honorable Messrs.</i> CLARK,	“ “ P. ROBINSON,
“ “ DICKSON,	“ “ GORDON,
“ “ CROOKSHANK,	“ “ ELMSLEY,
“ “ CAMERON,	“ “ BALDWIN,
“ “ DUNN,	“ “ ADAMSON,

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.

His Excellency 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 person to be your Speaker, and that you present the person whom you shall have so chosen to His Excellency, in this House tomorrow, at three of the clock, for His approbation.

Causes for summoning the Parliament not declared 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 tomorrow at half past two of the clock, P. M.

House adjourns.

FRIDAY, 16th JANUARY, 1835.

The House met pursuant to adjournment.

House meets.

PRESENT :

<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> ALLAN,
<i>The Honorable Messrs.</i> CLARK,	“ “ P. ROBINSON,
“ “ DICKSON,	“ “ GORDON,
“ “ CROOKSHANK,	“ “ ELMSLEY,
<i>The Hon. & Ven. The</i> ARCHDEACON OF YORK,	“ “ BALDWIN,
<i>The Honorable Messrs.</i> CAMERON,	“ “ ADAMSON.
“ “ DUNN,	

Members present.

The Honorable Messrs. George H. Markland, and James Crooks, came to the table and took and subscribed the oath prescribed by the Statute 31st Geo. 3d. Chap. 31st. as required by the third Rule of the House.

Oath administered to the Hon. Messieurs Markland & Crooks.

The Honorable the Speaker reported to the House, that His Excellency the Lieutenant Governor had been pleased to appoint the Reverend Thomas Phillips, D. D. to be Chaplain to the Legislative Council, vice the Reverend William Macaulay, resigned.

Dr. Phillips appointed Chaplain of the House.

Friday, 16th January, 1835.

FIRST SESSION TWELFTH PROVINCIAL PARLIAMENT, 5th WILLIAM IV.

Prayers were read.

The Minutes of yesterday were read.

His Excellency again comes to the House and commands the attendance of the Assembly.

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

MR. BIDWELL said :

MAY IT PLEASE YOUR EXCELLENCY :

Mr. Bidwell informs His Excellency that he is chosen by the Assembly 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. BIDWELL,

His Excellency, through the Speaker of this House, confirms and allows Mr. Bidwell to be the Speaker of the Assembly.

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 favorable interpretation.

Then the Speaker of this House said :

MR. SPEAKER,

The Speaker of the Assembly 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 favorable 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 :—

Friday, 16th January, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

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

You have the satisfaction of being convened, to promote by your counsels the welfare of the people, at a period when the increased activity with which every description of improvement proceeds throughout the Province assures you, that the general interests of the Colony are greatly prospering. The Speech.

The exertion, perseverance and spirit of enterprise, so conspicuous in each District; and the independence and comfort which the more industrious portion of your population has speedily attained, are obviously the early advantages resulting from the flow of Emigration to the Province, and from the useful public works which have been accomplished, under the direction of the Parent State, and of the Legislature of this Country.

These considerations will, doubtless, chiefly engage your attention, in deciding on the means that can be prudently applied to encourage the present ardor for improvement, and to carry into effect the undertakings which have been projected, to connect more extensively the navigable waters of some of the most flourishing Districts.

The completion of the Grenville Canal, and other Public Works on the River Ottawa, has brought the Rideau Navigation fully into operation.

The internal commerce carried on by the Welland Canal increases, and will be extended by the improved communications in progress on the Grand River.

Gentlemen of the House of Assembly:

I have directed to be laid before you the Annual Accounts; the Estimates of the amount required for the Public Service of the current year; and statements of the Casual and Territorial Revenue.

With these documents will be transmitted for your examination detailed accounts of the disbursements authorised during the prevalence of the Disease, which, by the dispensation of Divine Providence, again afflicted the Province.

I entertain no doubt, that you will think it right to provide for the repayment of the sums which have been distributed by the Boards of Health.

Honorable Gentlemen, and Gentlemen:

The Laws which are about to expire will demand your attention.

The several Acts passed by the Provincial Legislature to protect the interests of individuals, in cases in which the Local Tribunals could not interpose, have suggested to His Majesty's Government the propriety of recommending such a revision to be made of your legal institutions, as will prevent a delay in the administration of Justice, in similar instances, which might constantly occur.

I shall have occasion to communicate with you by Message on this subject; and to convey to you the views of His Majesty's Government relative to the arrangements proposed for the re-organization of the Post Office in these Colonies.

The assurances which I received from the Inhabitants of this Province, in the course of the past year, expressive of their attachment to their Sovereign, and which it became my duty to forward to the Secretary of State for the Colonies, have afforded to His Majesty the highest gratification.

These further proofs of the devoted loyalty of the people of the Province, and of their sincere and earnest desire to maintain and perpetuate the connection with the great Empire, of which they form an important part, will, I am confident, be duly appreciated by you, and by all our countrymen, who intend to fix their abode in this favored land.

19th & 20th January, 1835.

FIRST SESSION TWELFTH PROVINCIAL PARLIAMENT, 5th WILLIAM IV.

Committee appointed to draft an address in answer to His Excellency's Speech. On motion made and seconded, it was :
 Ordered, that a Select Committee be appointed to draft an Address to the Lieutenant Governor in answer to His Excellency's Speech from the Throne ; and,
 Members composing same. Ordered, that the Honorable Messrs. Dickson, Markland, and Baldwin, do compose the same for that purpose.
 House adjourns. On motion made and seconded, the House adjourned until Monday next, at the hour of two of the clock, P. M.

MONDAY, 19th JANUARY, 1835.

House meets. The House met pursuant to adjournment.

PRESENT :

Members present.	<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> ALLAN,
	<i>The Honorable Messrs.</i> CLARK,	" " P. ROBINSON,
	" " DICKSON,	" " GORDON,
	" " CROOKSHANK,	" " ELMSLEY,
	<i>The Hon. & Ven. The</i> ARCHDEACON OF YORK,	" " CROOKS,
	<i>The Honorable Mr.</i> MARKLAND,	

Prayers were read.

The Minutes of Friday were read.

Petition of J. Bennett, and others, brought up. The Honorable Mr. Crooks brought up the Petition of John Bennett, and others, of Co-bourg, in the District of Newcastle ; which was laid on the table.

Petition of Wm. H. Merritt, and others, brought up. The Honorable Mr. Clark brought up the Petition of William Hamilton Merritt, and others, Trustees of the Grantham Academy ; which was laid on the table.

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

TUESDAY, 20th JANUARY, 1835.

House meets. The House met pursuant to adjournment.

PRESENT :

Members present.	<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> P. ROBINSON,
	<i>The Honorable Messrs.</i> CLARK,	" " GORDON,
	" " DICKSON,	" " ELMSLEY,
	" " CROOKSHANK,	" " BALDWIN,
	" " MARKLAND,	" " CROOKS,

Prayers were read.

The Minutes of yesterday were read.

Report of the Committee appointed to draft an address in answer to His Excellency's Speech, presented and read first time. The Honorable Mr. Dickson, from the Select Committee appointed to draft an Address to His Excellency the Lieutenant Governor, in answer to His Excellency's Speech at the opening of this Session, reported a draft thereof, which he read in his place.

Ordered, that the report be received ; and,

Read second time. The said draft was again read by the Clerk ; and it was,

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

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

Committed. 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.

Ordered, that the report be received ; and,

Adopted.

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

Petition of John DeCow, and others, brought up. The Honorable Mr. Crooks brought up the Petition of John DeCow, and others ; which was laid on the table.

Petition of George Adams, and others, brought up. The Honorable Mr. Dickson brought up the Petition of George Adams, and others, inhabitants of the District of Niagara ; which was laid on the table.

Wednesday, 21st January, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

The Honorable Mr. P. Robinson brought up the Petition of William Purdy, and others, inhabitants and proprietors of Land in the Townships of Ops, Mariposa, Cartwright and Reach; which was laid on the table. Petition of William Purdy, and others, brought up.

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

WEDNESDAY, 21st JANUARY, 1835.

The House met pursuant to adjournment. House meets.

PRESENT :

<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> MARKLAND,	
<i>The Honorable Messrs.</i> CLARK,	" "	P. ROBINSON,
" " DICKSON,	" "	GORDON,
" " CROOKSHANK,	" "	CROOKS,
<i>The Hon. & Ven. The</i> ARCHDEACON OF YORK,		

Members present.

Prayers were read.

The Minutes of yesterday were read.

Pursuant to the order of the day, the Address to the Lieutenant Governor in answer to His Excellency's Speech at the opening of the Session was read a third time and passed; Address in answer to His Excellency's Speech read third time and passed.

Whereupon the Speaker signed the same, and it is as follows :— Same Signed.

To His Excellency SIR JOHN COLBORNE, Knight, Commander of the most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY :

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. The Address.

In being convened to take into consideration the welfare of the people, we have the satisfaction of feeling assured, from the activity with which every description of improvement proceeds throughout the Province, that the general interests of the Colony are greatly prospering.

We concur with your Excellency in thinking, that the advantages arising from the flow of Emigration to the Province, and from the useful public works which have been directed and completed by the Parent State, and the Legislature of this Country, are to be obviously seen in the exertion, perseverance, and spirit of enterprise in each District, and in the independence and comfort which the more industrious portion of the population have speedily obtained.

In deciding on the means that can prudently be applied to encourage the present ardor for improvement, and to carry into effect the undertakings which have been projected to connect more extensively the navigable waters of the most flourishing Districts, these considerations will engage much of our attention.

We are gratified to learn from your Excellency, that the internal commerce carried on by the Welland Canal increases, and will be extended by the improved communications in progress on the Grand River; and also that the completion of the Grenville Canal, and of the Public Works on the River Ottawa, have brought the Rideau navigation fully into operation.

We shall not fail to give our attention to the Laws which are about to expire, and to the recommendation of His Majesty's Government suggested by the several Acts passed by the Provincial Legislature to protect the interest of individuals in cases in which the local tribunals could not interpose, from which it has appeared to them expedient that such a revision should be made of our legal institutions as will prevent a delay in the administration of Justice in similar cases which may constantly occur. We shall feel obliged by any communication from your Excellency by which we can ascertain the views of His Majesty's Government on this

Wednesday, 21st January, 1835.

FIRST SESSION TWELFTH PROVINCIAL PARLIAMENT, 5th WILLIAM IV.

subject, and relative to the arrangements proposed for the re-organization of the Post-Office in these Colonies.

We learn with much satisfaction that His Majesty has been graciously pleased to declare, that he has received with high gratification the assurances of the devoted attachment of the people of this Province to their Sovereign, and of their sincere and earnest desire to maintain and perpetuate their connection with the Great Empire of which they form an important part.

It is worthy of consideration, that these assurances were not contained in addresses merely congratulatory, transmitted upon any such occasion as the ordinary current of affairs naturally presents, but were called for by the public disclosure of a treasonable correspondence carried on with an inhabitant of this Province by a Member of the Imperial Parliament, representing the Metropolitan County of England. In this correspondence, the person referred to, disregarding his duty of allegiance, and the obligations peculiarly incumbent upon him in his responsible public station, avows his satisfaction in the conviction, that the Inhabitants of Upper Canada are fast approaching to that crisis when they will deliver themselves from what he traitorously calls "the baneful domination of the Mother Country"; and in language which can neither be misapprehended nor explained away, he encourages the people of this Province to throw off their allegiance to their Sovereign.

It is not surprising that His Majesty's Subjects in this Colony, than whom none are more faithfully and affectionately attached to His Crown, have deeply resented this insult; and we are convinced, that the numerous addresses spontaneously transmitted to be laid at the foot of the Throne, and which His Majesty has been pleased graciously to notice, speak the sincere sentiments of a people eager to deliver themselves from the reproach of the basest ingratitude, and from the suspicion of participating in the feelings and projects of any individual who can exhibit so unnatural an hostility to his Country.

On motion made and seconded, it was,

Committee appointed to know when the foregoing address would be received.

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

Members composing same.

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

Petition of John Bennett, and others; And of William H. Merritt, and others, read.

Pursuant to the order of the day, the petition of John Bennett, and others, of the Town of Cobourg, suggesting the plan of placing a light on the top of a Wind-mill erected by the said John Bennett, to answer the purpose of a Light-house, and praying the Legislature to accede to their proposition, by an Act to be passed for that purpose, &c.; and also the petition of William Hamilton Merritt, and others, Trustees of the Grantham Academy, praying for an amendment to their Act of Incorporation—were severally read.

Petition of John Hamilton, and others, brought up.

The Honorable Mr. Clark brought up the petition of John Hamilton, and others, being a Committee appointed to represent a numerous body of Freeholders resident on the Niagara frontier; which was laid on the table.

Petition of John Kilborn, and others, brought up.

The Honorable Mr. Markland brought up the petition of John Kilborn, and others, Inhabitants of the Township of Wolford, in the District of Johnstown; which was laid on the table.

Writ of Error Bill brought in.

His Honor the Speaker brought in a Bill to allow the issuing of Writs of Error from the Court of King's Bench.

Read first time.

The same was then read, and it was,

Ordered, that it be read a second time on Friday next.

Report of the Select Committee appointed to know when the address of this House, in answer to His Excellency's Speech, would be received.

The Honorable Mr. Crooks, 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 two of the clock, P. M., tomorrow, for that purpose.

House adjourns.

On motion made and seconded, the House adjourned.

22nd & 26th January, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

THURSDAY, 22nd JANUARY, 1835.

The House met pursuant to adjournment.

House meets.

PRESENT :

<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> ALLAN,		
<i>The Honorable Messrs.</i> CLARK,	"	"	P. ROBINSON,
"	"	"	GORDON,
<i>The Hon. & Ven. The</i> ARCHDEACON OF YORK,	"	"	BALDWIN,
<i>The Honorable Messrs.</i> CAMERON,	"	"	CROOKS,
"	"	"	MARKLAND,

Members present.

Prayers were read.

The Minutes of yesterday were read.

Pursuant to the order of the day, the petition of John DeCow, and others, praying for an Act incorporating them for the manufacture of Glass, in the County of Haldimand; also, the petition of George Adams, and others, Inhabitants of the District of Niagara, praying for an Act incorporating them as a Banking Company, at Saint Catharines; and also, the petition of William Purdy, and others, Inhabitants and proprietors of land in the Townships of Ops, Mariposa, Cartwright, and Reach, praying for an Act establishing and confirming to the said William Purdy the right of maintaining and upholding a certain Mill-head, made and erected under a license received from the Government—were severally read.

Petitions of John DeCow, and others; Of George Adams, and others; And Wm. Purdy, and others, read.

The Honorable Mr. Crooks brought up the petition of Daniel Jones, and others; and also the petition of the Indians belonging to the Mississauga Tribe, residing in the District of Newcastle; which was laid on the table.

Petitions of Daniel Jones, and of the Mississauga Tribe of Indians, brought up.

The Honorable Mr. Gordon brought up the petition of the Honorable William Allan, and Thomas Mercer Jones, Esquire, Commissioners of the Canada Company; which was laid on the table.

Petition of the Hon. W. Allan, and T. M. Jones, brought up.

At two of the clock, P. M., the House proceeded to the Government House with their Address in answer to His Excellency's Speech from the throne; and having returned,

Address in answer to His Excellency's Speech from the Throne, presented.

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.
Read.

HONORABLE GENTLEMEN,

I thank you for this address, and I assure you that I learn with great satisfaction that your views of the state of the Province coincide with those which I communicated to you at the opening of the Session.

The reply.

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

House adjourns.

MONDAY, 26th JANUARY, 1835.

The House met pursuant to adjournment.

House meets.

PRESENT :

<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> P. ROBINSON,	
<i>The Honorable Messrs.</i> CROOKSHANK,	"	GORDON,
"	"	ELMSLEY,
"	"	BALDWIN,

Members present.

Prayers were read.

The Minutes of Thursday were read.

Pursuant to the order of the day, the petition of John Hamilton, and others, being a Committee appointed to represent a numerous body of Freeholders resident on the Niagara frontier, praying that every exertion may be used for inducing His Majesty to give His Royal Assent to the bill passed by the Provincial Legislature, for incorporating the Erie and Ontario Rail-road Company; also, the petition of John Kilborn, and others, Inhabitants of the Township of Welford, in the Johnstown District, praying for an Act establishing the western boundaries or limits of the said Township; also, the petition of Daniel Jones, and others,

Petitions of John Hamilton, and others; Of John Kilborn, and others; Of Daniel Jones, and others; Of the Mississauga tribe of Indians; And of the Hon. Wm. Allan and Thomas M. Jones, read.

29th & 30th January, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

THURSDAY, 29th JANUARY, 1835.

The House met pursuant to adjournment.

House meets.

PRESENT :

The Honorable JOHN B. ROBINSON, SPEAKER. *The Honorable Messrs.* GORDON,
The Hon. & Ven. The ARCHDEACON OF YORK, “ “ ELMSLEY,
The Honorable Messrs. ALLAN, “ “ BALDWIN,
“ “ P. ROBINSON,

Members present.

Prayers were read.

The Minutes of Tuesday and yesterday were read.

Pursuant to the order of the day, the bill to allow the issuing of Writs of Error from the Court of King's Bench, was read a third time, and passed, and it was, Writ of Error bill read third time and passed.

Ordered, that the title be, “An Act to allow the issuing of Writs of Error from the Court of King's Bench.” Title ordered.

Whereupon the Speaker signed the bill, and it was,

Ordered, that it 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.

The Honorable Mr. Crookshank enters.

A Member enters.

Pursuant to the order of the day, the petition of Henry Hagerman, and others, Inhabitants of the County of Hastings, praying that the said County may be set apart as a separate District, and that Belleville be made the new District Town thereof; and 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 Institution to £200,000—were severally read. Petitions of Henry Hagerman, and others; And of the President, Directors & Comp'y. of the Commercial Bank of the Midland District, read.

Pursuant to the order of the day, the bill to enable Suitors in the District Courts to procure the attendance of Witnesses from any District in this Province, was read a second time, and it was, District Court Witnesses bill read second time.

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

The Honorable Mr. Baldwin brought up the Petition of the Honorable and Venerable the Archdeacon of York, and others; which was laid on the table. Petition of the Hon. and Ven. the Archdeacon of York, and others, brought up.

The Honorable Mr. Gordon brought up the petition of G. N. Ridley, and others, Inhabitants of the Town of Belleville; and also, the petition of John Gibson, and others, Inhabitants of the Township of Grantham, in the Niagara District; which were laid on the table. Petitions of G. N. Ridley, and others; And of John Gibson, and others, brought up.

The Honorable Mr. Allan brought up the Petition of C. K. Garrison, and others, Inhabitants of Goderich; which was laid on the table. Petition of C. K. Garrison, and others, brought up.

A Deputation from the Commons House of Assembly brought up a bill, entitled, “An Act to provide for the payment of wages to the Members of the House of Assembly who represent the different Towns in this Province”; and also, a bill entitled “An Act to establish a standard weight for the different kinds of Grain and Pulse in this Province;” to which they requested the concurrence of this House and then withdrew. Town Members wages bill brought up. Grain standard weight bill brought up.

The said bills were then read, and it was,

Read first time.

Ordered, that they be read a second time tomorrow.

The Honorable Mr. Markland enters.

A Member enters.

On motion made and seconded, the House adjourned.

House adjourns.

FRIDAY, 30th JANUARY, 1835.

The House met pursuant to adjournment.

House meets.

PRESENT :

The Honorable JOHN B. ROBINSON, SPEAKER, *The Honorable Messrs.* ALLAN,
The Honorable Mr. CROOKSHANK, “ “ P. ROBINSON,
The Hon. & Ven. The ARCHDEACON OF YORK, “ “ GORDON,
The Honorable Mr. MARKLAND, “ “ ELMSLEY,

Members present.

Friday, 30th January, 1835.

FIRST SESSION TWELFTH PROVINCIAL PARLIAMENT, 5th WILLIAM IV.

Prayers were read.

The Minutes of yesterday were read.

Messages from the
Lieutenant Governor.

Several messages from His Excellency the Lieutenant Governor were delivered by Mr. Secretary Rowan, who being retired, the Speaker read the same, and they were again read by the Clerk, together with the documents accompanying them, and are as follows :

J. COLBORNE,

On the subject of the
war losses.

The Lieutenant Governor acquaints the Legislative Council, with reference to the subject of the War losses, that as the payment of fifty-seven thousand, four hundred and twelve pounds, contemplated by the Provincial Act passed in the third Session of the last Parliament, has been actually made, His Majesty's Government has directed that twenty thousand pounds may be reserved out of the Casual and Territorial Revenue, to be applied to the liquidation of the War Claims ; and that he is authorised to appropriate this sum of twenty thousand pounds, provided a similar sum shall be raised and appropriated in like manner by the Legislature, to the satisfaction of the War Claims ; and that if such joint payment of forty thousand pounds be made in the Province, application will be made to the Imperial Parliament for the means of discharging the amount of seventeen thousand nine hundred and ten pounds, requisite in order to effect the complete satisfaction of the whole of the War Claims.

His Majesty's Government trusts that the Legislature will be disposed to receive favorably a plan, by which, instead of adhering to the original scheme of equal contributions by the Provincial Legislature, and by the Parent State, it is proposed, that out of a sum of fifty-seven thousand, nine hundred and ten pounds, twenty thousand only shall be raised by the Province, and that on that condition the remaining amount of seventeen thousand, nine hundred and ten pounds, shall be provided either from the Crown Revenues or from a grant by the British Parliament.

Government House,
29th January, 1835.

J. COLBORNE,

Acquainting this
House that in future
manuscript copies of
their Journals will
not be required.

The Lieutenant Governor acquaints the Legislative Council, that the Secretary of State for the Colonies has notified that printed copies of the Journals of the Council may be forwarded to the Colonial Department ; and that manuscript copies will not in future be required.

Government House,
29th January, 1835.

J. COLBORNE,

Transmitting an Ex-
tract of a Despatch
on the subject of
Stoyell's Estate bill.

The Lieutenant Governor transmits to the Legislative Council, an extract of a Despatch which he has received from His Majesty's Secretary of State, relative to the private bill, entitled, "An Act to enable the Executors named in the Will of the late Thomas Stoyell, to carry the provisions of the said Will into effect," which was reserved last Session for the signification of His Majesty's pleasure.

With reference to the observation of the Secretary of State on this Bill, and to the cases which have been from time to time brought under the notice of the Legislature, because the powers of the Common Courts of Judicature established in the Province, or their mode of proceeding, were deemed insufficient to prevent wrong to the parties applying for protection, or to provide for the safety of property in dispute pending litigation ;

The Lieutenant Governor suggests for the consideration of the Legislative Council, whether the advanced state of the affairs of the Community does not require the immediate establishment of a Court of Equity, invested with authority to assume such jurisdiction in cases beyond the powers of the Common Courts of Law, as may provide for the safety of property, protect individuals from vexatious and oppressive litigation, prevent unnecessary suits, and restrain the assertion of doubtful rights that might, on many occasions, be productive of irreparable injury.

Government House,
29th January, 1835.

Friday, 30th January, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

*Extract of a Despatch from the Secretary of State for the Colonies, addressed to the
Lieutenant Governor.*

No. 46.

“Downing Street,
10th November, 1834.

“Among the Acts passed by the Legislature of Upper Canada in their last Session, and reserved by you for the signification of His Majesty’s pleasure, there are two on which I am desirous of communicating with you before the decision of His Majesty is taken.

The Extract.

“The Act entitled “An Act to enable the Executors named in the Will of the late Thomas Stoyell, to carry the provisions of the said Will into effect,” is a private Act; it enables certain Trustees to effect sales of Lands bequeathed in trust for certain charitable purposes, and requires them to pay over the proceeds to the objects of the Charity. The Bill has been reserved because it does not invest any of the Local Tribunals with the power of compelling the Trustees to execute the trust, or with the right of calling them to account for their administration of it; an omission which, since there is no Court of Equity in the Province, might be fatal to the benevolent designs of the Testator, in the possible event of any embezzlement or misapplication of the money.

“It appears to me that this is a well founded objection, and that His Majesty’s pleasure on the Bill ought not to be signified until the Legislature shall have an opportunity of considering whether a supplementary Act should not be passed to supply what is thus wanting.

“I cannot quit the subject of this Act without observing, that it suggests another and a more generally important remark, viz. that the legal institutions of the Province demand a careful revision, since the failure of Justice which is anticipated in this case, must be continually occurring in other cases which do not attract the attention of the Legislature.

“Without suggesting any particular remedy for the evil, I cannot but think it right that it should be brought under the notice of the Provincial Parliament, in order that such steps may be taken upon it as may be prompted by local knowledge of the extent and precise nature of the inconvenience.

“You will therefore have the goodness to lay before the Legislative Council and Assembly the whole of the observations I have made on the Act respecting Thomas Stoyells’ Will.”

J. COLBORNE.

The Lieutenant Governor transmits to the Legislative Council the accompanying copy of a Despatch from the Secretary of State for the Colonies, relative to an Address of the Council to the King, praying that the Statute 3d. Geo. 4th, Chap. 119, may be amended.

Transmitting the copy of a Despatch on the subject of an Address of the Council, praying for an amendment to the Statute 3, Geo. 4th chap. 119.

Government House,

29th January, 1835.

(Copy.)

No. 11.

“Downing Street,
26th July, 1834.

SIR,

“I have received your Despatch, No. 26, of the 11th April last, accompanied by an Address to the King from the Legislative Council of Upper Canada, praying that the Statute 3d. Geo. 4th, Chap. 119, may be so amended as to place within the power of the future Arbitrators the division of the duties levied in Lower Canada upon merchandize imported by sea, under any Statute which has been passed subsequently to that of 3d. Geo. 4th, or under any Statutes which may be passed hereafter, I request, that conformably to the answer which I recently directed you to convey to a similar address from the Assembly, you will inform the Legislative Council that His Majesty’s Government regrets that it has not been possible, in the present Session, to adopt and carry into execution any decision upon the subject of the Address, but that it will not fail to receive due attention before the next Session of Parliament.

The copy.

I have the honor to be, &c.,

(Signed)

T. SPRING RICE.”

M. General,

SIR JOHN COLBORNE, K. C. B.

&c. &c. &c.

Friday, 30th January, 1835.

FIRST SESSION TWELFTH PROVINCIAL PARLIAMENT, 5th WILLIAM IV.

J. COLBORNE,

Transmitting a communication on the subject of the Post Office Department.

The Lieutenant Governor transmits to the Legislative Council the accompanying Extracts of a communication from the Secretary of State for the Colonies, respecting the Post-Office Department, and the views of His Majesty's Government in recommending an Act to be passed for regulating the internal Postage of the North American Colonies, a copy of which Act is forwarded for the information of the Legislative Council.

Government House,
29th January, 1835.

Extracts of a Despatch from the Secretary of State for the Colonies, addressed to the Lieutenant Governor.

(Circular.)

Downing Street,
5th October, 1834.

The communication.

"The representations which have from time to time been received from the Legislature and inhabitants of several of the Colonies in North America, respecting the internal Postage in that part of the British Dominions, have not failed to attract the serious attention of His Majesty's Government, and I have now the gratification to send you an Act passed in the late Session of Parliament, which I hope will prove the means of settling this important question to the satisfaction of all parties.

"The Act provides that so much of the Statute 5th Geo. 3d, Chap. 25, as authorises the taking of certain rates of inland Postage within His Majesty's Dominions in North America, shall be repealed from the time when His Majesty's consent shall be signified to Acts of the Provincial Legislatures imposing the same, or other rates of Postage, and making such regulations for the management of the Post Office, by the Post Master General, or his Deputies, as to the Legislatures may seem expedient.

"You will observe, that in order to give effect to this Act certain Bills must be passed by the Provincial Legislatures, and receive the Royal Assent; and I need scarcely add, that to establish a practicable system it is essential that a uniformity of views should pervade these Bills.

"It was found impossible to devise any practicable plan for keeping separate the accounts of the Post Office Revenue and expenditure in each possession in North America, and where the accounts were blended no mode of distributing the surplus revenue appeared to be free from serious objection, except to apportion it according to the gross amount of Postage collected within each Colony; a provision therefore to this effect has been made in the Imperial Act of Parliament. In order, however, to admit of any other plan which might be preferred by the Provincial Legislatures, a power has been left to them to alter this clause by local enactments. I should scarcely anticipate, that at the present time any more eligible expedient is likely to be suggested than the one adopted by the Imperial Act; and as any alteration of it could not be carried into effect until agreed to by each separate Legislature, it is, perhaps, to be wished, that at any rate, for a period sufficient to try the remainder of the proposed measures, the provision made by Parliament on this point should remain untouched.

"It is of course necessary that all the Acts passed by the several Legislatures on the present subject should take effect on the same day; the first of January, one thousand eight hundred and thirty-six."

Address ordered to be presented to the Licut. Governor, thanking His Excellency for the foregoing Messages.

Ordered, that an address be presented to the Lieutenant Governor, thanking His Excellency for his several messages of this day on the subject of the War Losses, and transmitting to this House extracts from Despatches from His Majesty's Secretary of State for the Colonies upon various topics; and assuring His Excellency that the Legislative Council will not fail to give the several matters therein embraced their most serious consideration; and

Members appointed for that purpose.

Ordered, that the Honorable Messrs. Allan and Gordon do present the same.

District Court Witnesses bill committed.

Pursuant to the order of the day, the House was put into a Committee of the whole upon the bill to enable Suitors in the District Courts to procure the attendance of Witnesses from any District in this Province.

The Honorable Mr. Markland took the Chair.

Monday, 2nd February, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

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 on Monday next.

Pursuant to the order of the day, the bill entitled "An Act to provide for the payment of wages to the Members of the House of Assembly who represent the different Towns in this Province," was read a second time ; and it was, Town Members wages bill, read second time.

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 bill entitled "An Act to establish a Standard Weight for the different kinds of Grain and Pulse in this Province," was read a second time ; and it was, Grain standard weight bill, read second time.

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

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

PRESENT :

<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> ALLAN,	
<i>The Honorable</i> Mr. CROOKSHANK,	" "	P. ROBINSON,
<i>The Hon. & Ven. The</i> ARCHDEACON OF YORK,	" "	GORDON,
<i>The Honorable</i> Mr. MARKLAND,	" "	ELMSLEY,

Members present.

ABSENT :

THE HONORABLE MESSIEURS	CLARK,	
" "	DICKSON,	
" "	WELLS,.....(Sick.)	Members absent.
" "	CAMERON,	
" "	DUNN,	
" "	JONES,	
" "	McDONELL,.....(Sick.)	
" "	BURNHAM,	
" "	BALDWIN,	
" "	HAMILTON,	
" "	BOSWELL,	
" "	ADAMSON,	
" "	JAMES KERBY,	
" "	JOHN KIRBY,	
" "	CROOKS,	
THE HON. AND RT. REV. BISHOP	MACDONELL,	
THE HONORABLE MESSIEURS	GRANT,	
" "	LLOYD,.....(Absent from the Province with leave.)	
" "	NELLES,	
" "	STEWART.	

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

MONDAY, 2nd FEBRUARY, 1835.

The House met pursuant to adjournment. House meets.

PRESENT :

<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> ELMSLEY,	
<i>The Honorable Messrs.</i> CROOKSHANK,	" "	BALDWIN,
" "	" "	CROOKS,
" "	" "	GORDON,

Members present.

Prayers were read.

Tuesday, 3rd February, 1835.

FIRST SESSION TWELFTH PROVINCIAL PARLIAMENT, 5th WILLIAM IV.

The Minutes of Friday were read.

District Court Witnesses bill, read third time and passed.

Pursuant to the order of the day, the bill to enable Suitors in the District Courts to procure the attendance of Witnesses from any District in this Province, was read a third time and passed; and it was,

Title ordered.

Ordered, that the title be, "An Act to enable Suitors in the District Courts to procure the attendance of Witnesses from any District in this Province."

Bill signed and sent to the Assembly for concurrence.

Whereupon the Speaker signed the bill; and it was,

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

Petitions of the Hon. and Ven. the Archdeacon of York, and others; Of G. N. Ridley, and others; Of John Gibson, and others; And of C. K. Garrison and others, read.

Pursuant to the order of the day, the petition of the Honorable and Venerable the Archdeacon of York, and others, praying for an Act satisfactorily securing to the undertakers, the investment of such capital as may be required for effecting a supply of wholesome water, by means of pipes, for the use of the Inhabitants of the City of Toronto; also, the petition of G. N. Ridley, and others, Inhabitants of the Town of Belleville, praying for an Act increasing the Capital Stock of the Commercial Bank of the Midland District, to £200,000; also, the petition of John Gibson, and others, Inhabitants of the Township of Grantham, in the Niagara District, praying for an Act levying a Tax upon Dogs in the said Township; and also, the petition of C. K. Garrison, and others, praying that the said C. K. Garrison may be naturalized by an Act of the Legislature—were severally read.

Town Members wages 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 the payment of wages to the Members of the House of Assembly who represent the different Towns in this Province."

The Honorable Mr. Allan 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 on Monday next.

Leave granted.

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

Members summoned.

Ordered, that the Members in Town be summoned to attend in their places on that 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 to establish a standard weight for the different kinds of Grain and False in this Province;" it was,

Grain standard weight bill, discharged from the order of the day.

Ordered to be discharged, and that the said bill do stand upon the order of the day for Monday next.

A Member enters.

The Honorable and Venerable the Archdeacon of York enters.

Petitions of W. H. Nelles, and others; Of John DeCow; Of the President, Directors and Company of the Cobourg Harbour. Of M. F. Whitehead and others; of Alex. Fletcher and others; and of John Steele and others, brought up.

The Honorable Mr. Crooks brought up the petition of W. H. Nelles, and others, Inhabitants of the Township of Grimsby, and its vicinity; also, the petition of John DeCow, of the Township of Thorold; also, the petition of the President, Directors and Company, of the Cobourg Harbour; also, the petition of M. F. Whitehead, and others, of the Town of Port-Hope, and its vicinity; also, the petition of Alex'r. Fletcher, and others, Inhabitants of the Township of Darlington; and also, the petition of John Steele, and others, Inhabitants of the District of Newcastle; which were laid on the table.

House adjourns.

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

TUESDAY, 3rd FEBRUARY, 1835.

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> ALLAN,	" " BALDWIN,
" " P. ROBINSON,	" " CROOKS,
" " GORDON,	

Prayers were read.

The Minutes of yesterday were read.

6th & 9th February, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

The Honorable Mr. Allan, from the Select Committee appointed to present an Address to the Lieutenant Governor, thanking His Excellency for his several Messages of Friday last, reported that they had done so.

The Honorable Mr. P. Robinson brought up the petition of E. Bowman, and others, Land-owners and Farmers in the Township of Haldimand; also, the petition of Charles Rubidge, and others, Inhabitants of the rear Townships in the Newcastle District; and also, the petition of John Hall, and others; which were laid on the table.

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

FRIDAY, 6th FEBRUARY, 1835.

The House met pursuant to adjournment.

PRESENT :

<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER,	<i>The Honorable Messrs.</i> GORDON,
<i>The Honorable</i> Mr. CROOKSHANK,	“ “ McDONELL,
<i>The Hon. & Ven. The</i> ARCHDEACON OF YORK,	“ “ ELMSLEY,
<i>The Honorable</i> Mr. ALLAN,	“ “ BALDWIN,

Prayers were read.

The Minutes of Tuesday last were read.

The Honorable Mr. McDonell came to the table and took and subscribed the oath prescribed by the Statute of the 31st Geo. 3rd, Chap. 31st, as required by the third rule of the House.

Pursuant to the order of the day, the petition of W. H. Nelles, and others, Inhabitants of the Township of Grimsby, and its vicinity, praying for a Charter vesting powers in a Joint Stock Company, to raise the sum of £1,562 10s. for the purpose of constructing a Breakwater and pier on the west side of the Forty-mile Creek, in the said Township; also, the petition of John DeCow, of the Township of Thorold, praying for an Act compelling the Welland Canal Company to pay him for the damages he has sustained by their works; also, the petition of the President, Directors and Company, of the Cobourg Harbor, praying for further aid; also, the petition of M. F. Whitehead, and others, of the Town of Port Hope, and its vicinity, praying for an Act increasing the Capital Stock of the Commercial Bank of the Midland District; also, the petition of Alexander Fletcher, and others, Inhabitants of the Township of Darlington, praying for an Act confirming the survey made by Samuel Street Wilmot, of the first and second Concessions of the said Township, or to authorise a new survey thereof; also, the petition of John Steele, and others, Inhabitants of the District of Newcastle, praying for an Act authorising the erection of a Light-House at the Harbour of Presquile; also, the petition of E. Bowman, and others, Land-Owners and Farmers in the Township of Haldimand, praying for an Act imposing a duty upon American Grain and Flour, Beef and Pork, cured and not cured, also upon Live Stock, and articles of Mechanism, coming to any market within this Province; and also, the petition of John Hall, and others, requesting that the Legislative Council will represent, by Memorial or otherwise, to the Home Government, the necessity of connecting Lakes Huron and Ontario, by amending the deficiencies in the chain of navigable waters, and praying them to undertake the work without delay—were severally read.

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

MONDAY, 9th FEBRUARY, 1835.

The House met pursuant to adjournment.

PRESENT :

<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> P. ROBINSON,
<i>The Honorable</i> Mr. CROOKSHANK,	“ “ GORDON,
<i>The Hon. & Ven. The</i> ARCHDEACON OF YORK,	“ “ McDONELL,
<i>The Honorable</i> Mr. ALLAN,	“ “ ELMSLEY,

F

Tuesday, 10th February, 1835.

FIRST SESSION TWELFTH PROVINCIAL PARLIAMENT, 5th WILLIAM IV.

Prayers were read.

The Minutes of Friday were read.

Town Members wages bill recommitted.

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 payment of wages to the Members of the House of Assembly who represent the different Towns in this Province."

The Honorable Mr. Allan 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 further progress therein, and asked leave to sit again on Wednesday next.

Leave granted.

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

Grain Standard weight 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 standard weight for the different kinds of Grain and Pulse in this Province."

The Honorable Mr. Gordon 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.

Grain Standard weight bill, recommitted.

The House was then again put into a Committee of the whole upon the bill entitled, "An Act to establish a standard weight for the different kinds of Grain and Pulse in this Province."

The Honorable Mr. Gordon 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 on Thursday next.

Leave granted.

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

Speaker reports the receipt of Grantham Academy's Trustee Bill, from the Assembly.

His Honor the Speaker reported to the House, that a Deputation from the Commons House of Assembly had brought up a bill entitled "An Act to authorise the Trustees of the Grantham Academy to dispose of Real Estate, and other purposes therein mentioned," 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 tomorrow.

Petitions of Thomas Holmes Armstrong, and others;

His Honor the Speaker brought up the petition of Thomas Holmes Armstrong, and others; which was laid on the table.

And of Asa A Burnham and others, brought up.

The Honorable Mr. Allan brought up the petition of Asa A. Burnham, and others, inhabitants of Cobourg and Amherst, in the Newcastle District; which was laid on the table.

House adjourns.

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

TUESDAY, 10th FEBRUARY, 1835.

The House met pursuant to adjournment.

House meets.

PRESENT :

Members present.	<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> GORDON,
	<i>The Honorable Messrs.</i> CROOKSHANK,	" " McDONELL,
	" " CAMERON,	" " ELMSLEY,
	" " ALLAN,	" " BALDWIN,
	" " P. ROBINSON,	

Prayers were read.

The Minutes of yesterday were read.

Grantham Academy Trustee Bill, read second time.

Pursuant to the order of the day, the bill entitled "An Act to authorise the Trustees of the Grantham Academy to dispose of Real Estate, and other purposes therein mentioned," was read a second time; and it was,

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

Public Accounts laid on the table.

By order of His Excellency the Lieutenant Governor, Mr. Secretary Cameron presented the Public Accounts; which were laid on the table.

Wednesday, 11th February, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

The Honorable Mr. Allan brought up the petition of Robert C. Wilkins, and others, Inhabitants of the western parts of the Midland District, and the eastern parts of the Newcastle District; which was laid on the table. Petition of Robert C. Wilkins and others, brought up.

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

WEDNESDAY, 11th FEBRUARY, 1835.

The House met pursuant to adjournment. House meets.

PRESENT :

<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> P. ROBINSON,	
<i>The Honorable Mr.</i> CROOKSHANK,	“ “ GORDON,	Members present.
<i>The Hon. & Ven. The</i> ARCHDEACON OF YORK,	“ “ McDONELL,	
<i>The Honorable Messrs.</i> MARKLAND,	“ “ ELMSLEY,	
“ “ ALLAN,	“ “ BALDWIN,	

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 provide for the payment of wages to the Members of the House of Assembly who represent the different Towns in this Province.” Town Members wages bill recommitted.

The Honorable Mr. Allan took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the bill, and recommended the same without 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.

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 Trustees of the Grantham Academy to dispose of Real Estate, and other purposes therein mentioned.” Grantham Academy Trustee bill, committed.

The Honorable Mr. Gordon 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,

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, And referred to a Select Committee.

Ordered, that the Honorable Messrs. Markland and Baldwin do compose the same for that purpose. Members composing same.

Pursuant to the order of the day, the petition of Thomas Holmes Armstrong, and others, praying for an Act granting them the same privilege as is enjoyed by the people called Quakers, viz. that of substituting a solemn affirmation for the taking of an oath; and also, the petition of Asa A. Burnham, and others, Inhabitants of Cobourg and Amherst, in the District of Newcastle, praying that no Act may be passed for establishing a Police therein—were severally read. Petitions of Thomas Holmes Armstrong, and others; And of Asa Burnham and others, read.

The Honorable Mr. Markland brought up the petition of Aaron D. Dougall, and others, inhabitants of the District of Prince Edward; also the petition of Robert C. Wilkins, and others, inhabitants of the Newcastle, Prince Edward, and Midland Districts; also the petition of D. L. Fairfield, and others, inhabitants of the District of Prince Edward; also the petition of J. Marks, and others, landowners and inhabitants of the Midland District; also the petition of the Justices of the Peace for the Midland District; and also the petition of Sheldon Hawley, and others, inhabitants of the Newcastle, Prince Edward, and Midland Districts; which were laid on the table. Petitions of Aaron D. Dougall, and others; Of Robert C. Wilkins, and others; Of D. L. Fairfield, and others; Of J. Marks and others; Of the Justices of the Peace for the Midland District; And of Sheldon Hawley and others, brought up.

The Honorable Mr. Elmsley brought up the petition of W. Bergin, on behalf of the Roman Catholics of the City of Toronto; which was laid on the table. Petition of W. Bergin, brought up.

12th & 13th February, 1835.

FIRST SESSION TWELFTH PROVINCIAL PARLIAMENT, 5th WILLIAM IV.

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

THURSDAY, 12th FEBRUARY, 1835.

House meets. The House met pursuant to adjournment.

PRESENT :

Members present.	<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> P. ROBINSON,
	<i>The Honorable Mr.</i> CROOKSHANK,	“ “ GORDON,
	<i>The Hon. & Ven. The</i> ARCHDEACON OF YORK,	“ “ McDONELL,
	<i>The Honorable Messrs.</i> MARKLAND,	“ “ ELMSLEY,
	“ “ DUNN,	“ “ BALDWIN,
	“ “ ALLAN,	

Prayers were read.

The Minutes of yesterday were read.

Grain Standard weight bill, recommitted.

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 Standard Weight for the different kinds of Grain and Pulse in this Province.”

The Honorable Mr. Gordon 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 tomorrow.

Petition of Robert C. Wilkins and others, read.

Pursuant to the order of the day, the petition of Robert C. Wilkins, and others, inhabitants of the Western parts of the Midland District, and the Eastern parts of the Newcastle District, praying to be formed into a new District, was read.

Petition of Joseph A. Keeler and others, brought up.

The Honorable Mr. P. Robinson brought up the petition of Joseph A. Keeler, and others, Landowners and Farmers of the Township of Cramahc ; which was laid on the table.

House adjourns.

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

FRIDAY, 13th FEBRUARY, 1835.

House meets. The House met pursuant to adjournment.

PRESENT :

Members present.	<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> P. ROBINSON,
	<i>The Honorable Mr.</i> CROOKSHANK,	“ “ GORDON,
	<i>The Hon. & Ven. The</i> ARCHDEACON OF YORK,	“ “ McDONELL,
	<i>The Honorable Messrs.</i> MARKLAND,	“ “ ELMSLEY,
	“ “ ALLAN,	“ “ BALDWIN,

Prayers were read.

The Minutes of yesterday were read.

Petition of Aaron D. Dougall and others;

Pursuant to the order of the day, the petition of Aaron D. Dougall, and others, Inhabitants of the District of Prince Edward, praying for an Act increasing the rates and assessments to be paid by all persons residing in the said District who are now liable to pay taxes; also, the petition of Robert C. Wilkins, and others, Inhabitants of the Newcastle, Prince Edward, and Midland Districts, praying for an Act authorising the construction of a Canal which would unite the waters of Lake Ontario with the head of the Bay of Quinte;

Of Robert C. Wilkins and others;

also, the petition of D. L. Fairfield, and others, Inhabitants of the District of Prince Edward, praying for an Act, increasing the Capital Stock of the Commercial Bank of the Midland District, to £200,000 ; also, the petition of J. Marks, and others, Land-owners and Inhabitants of the Midland District, praying for an Act granting a sum of money for the purpose of opening a road into the new Townships in the rear of Portland, in the said District ; also, the petition of the Justices of the Peace for the Midland District, praying for an Act to reimburse the advances made by the present Midland District for the administration of Justice in the present District of Prince Edward ; also, the petition of Sheldon Hawley, and others, Inhabitants of

Of D. L. Fairfield, and others;

Of J. Marks and others;

Of the Justices of the Peace for the Midland District;

Of Sheldon, Hawley and others;

Monday, 16th February, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

the Newcastle, Prince Edward; and Midland Districts, praying for an Act authorising the construction of a Canal which would unite the waters of Lake Ontario with the head of the Bay of Quinte; and also, the petition of William Bergin, on behalf of the Roman Catholics of the City of Toronto, praying for an Act granting a sum of money for the purpose of building a School-House therein—were severally read.

And of William Bergin, read.

Pursuant to the order of the day, the Honorable Mr. Gordon, from the Committee of the whole upon the bill entitled "An Act to establish a standard weight for the different kinds of Grain and Pulse in this Province," reported the amendment made thereto; and,

Amendment to Grain standard weight bill, presented.

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

Read first time.

Press 1, line 20.—Expunge the remainder of the bill, and insert, "Provided always, that the effect of any contract made before the passing of this Act, shall not be varied by any thing herein contained."

The amendment.

"2. And be it further enacted by the authority aforesaid, That upon every sale or delivery of any description of Grain or Pulse in this Act mentioned, which shall be made after the passing of this Act, and in every contract which shall be made after the passing of this Act, for the sale or delivery of any such Grain or Pulse, the bushel shall be taken and intended to mean the weight of a bushel as regulated by this Act, and not a bushel in measure, or according to any greater or less weight, unless the contrary shall appear to have been agreed upon by the parties."

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 to be engrossed, and the bill as amended read a third time on Monday next.

The Honorable Mr. Crookshank, from the Select Committee appointed to superintend the furnishing of the Legislative Council Chamber, presented the Accounts; which were laid on the table; and it was,

Accounts of the Select Committee appointed to superintend the furnishing of the Legislative Council Chamber, presented;

Ordered, that they be referred to a Select Committee, to examine the same and to report thereon; and,

And referred to a Select Committee.

Ordered, that the Honorable Messrs. Allan, P. Robinson, and Gordon, do compose the Committee for that purpose.

Members composing same.

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

House adjourns.

MONDAY, 16th FEBRUARY, 1835.

The House met pursuant to adjournment.

House meets.

PRESENT:

<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> GORDON,	Members present.
<i>The Honorable</i> Mr. CROOKSHANK,	" " McDONELL,	
<i>The Hon. & Ven.</i> The ARCHDEACON OF YORK,	" " ELMSLEY,	
<i>The Honorable</i> Mr. ALLAN,	" " BALDWIN,	

Prayers were read.

The Minutes of Friday were read.

Pursuant to the order of the day, the bill entitled "An Act to provide for the payment of wages to the Members of the House of Assembly who represent the different Towns in this Province," was read a third time and passed.

Town Members wages 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 amendment.

And the Assembly acquainted thereof.

Pursuant to the order of the day, the bill entitled "An Act to establish a standard weight for the different kinds of Grain and Pulse in this Province," was, as amended, read a third time; and,

Grain standard weight bill, as amended, read a 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;

17th & 18th February, 1835.

FIRST SESSION TWELFTH PROVINCIAL PARLIAMENT, 5th WILLIAM IV.

And sent to the
Assembly for con-
currence.

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.

Petition of Joseph A.
Keeler and others,
read.

Pursuant to the order of the day, the petition of Joseph A. Keeler, and others, Land-owners and Farmers of the Township of Cramahe, praying for an Act imposing a duty upon American Grain, Flour, Beef and Pork, cured and not cured, also upon Live Stock, and articles of Mechanism, coming to any market within this Province—was read.

Members enter.

The Honorable Messrs. Markland and Adamson enter.

Petitions of R. S.
Jameson, and Ogle
Robert Gowan;
And of W. R. De-
Rinzie and others,
brought up.

The Honorable Mr. Markland brought up the petition of Robert Sympson Jameson, and Ogle Robert Gowan, Esquires; and also the petition of William R. DeRinzie, and others, inhabitants and Freeholders of the County of Leeds, at present in the City of Toronto; which were laid on the table.

House adjourns.

On motion made and seconded, the House adjourned.

TUESDAY, 17th FEBRUARY, 1835.

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> P. ROBINSON,	“ “ BALDWIN,
“ “ GORDON,	“ “ ADAMSON,
“ “ McDONELL,	

Prayers were read.

The Minutes of yesterday were read.

Petition of George
Buchanan and others,
brought up.

The Honorable Mr. Gordon brought up the petition of George Buchanan, and others, proprietors and inhabitants of certain Townships in the Bathurst District; which was laid on the table.

First Leeds election
bill brought up from
the Assembly;

A Deputation from the Commons House of Assembly brought up a bill, entitled, “An Act to extend the time for holding Elections in the County of Leeds,” 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 tomorrow.

Notice of bringing in
Justice advancement
bill.

His Honor the Speaker gave notice, that on Thursday next he would bring in a bill for the further amendment of the Law, and the better advancement of Justice in this Province.

House adjourns.

On motion made and seconded, the House adjourned.

WEDNESDAY, 18th FEBRUARY, 1835.

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> CROOKSHANK,	“ “ ELMSLEY,
“ “ MARKLAND,	“ “ BALDWIN,
“ “ GORDON,	“ “ CROOKS,

Prayers were read.

The Minutes of yesterday were read.

Petitions of R. S.
Jameson, and O. R.
Gowan;

Pursuant to the order of the day, the petition of Robert Sympson Jameson, and Ogle Robert Gowan, Esquires, praying that the Legislative Council will not sanction the bill passed by the Assembly for extending the time allowed by law for holding the Election in the County of Leeds, without first permitting the inhabitants thereof to have a voice in the enactment of such Law, through their Representatives in Parliament; and also, the petition of W. R. DeRinzie, and others, inhabitants and Freeholders of the County of Leeds, (at present in the City of Toronto) praying against any alteration being made in the present Election Law, so far as the same may relate to the County of Leeds—were severally read.

And of W. R. De-
Rinzie and others,
read.

First Leeds election
bill, read second time.

Pursuant to the order of the day, the bill entitled, “An Act to extend the time for holding Elections in the County of Leeds,” was read a second time; and it was,

Thursday, 19th February, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

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

The Honorable Mr. Crooks brought up the petition of Joseph Green, and others, inhabitants of the District of London; also the petition of Lewis G. Gordon, and others, inhabitants of the Western District; also the petition of John Bostwick, and others, inhabitants of the District of London; also the petition of William Matthews, and others, inhabitants of the District of Gore; also the petition of Duncan McFarland, and others, inhabitants of the Township of Thorold, in the District of Niagara; also the petition of John Denny, and others, inhabitants of certain Townships in the District of Gore; also the petition of John Poore, and others, inhabitants of certain Townships in the District of Gore; and also the petition of George Lamprey, and others, inhabitants of certain Townships in the District of Gore; which were laid on the table.

The Honorable Mr. Gordon brought up two petitions of the President and Board of Police of the Town of Brockville; which were laid on the table.

On motion made and seconded the House adjourned.

THURSDAY, 19th FEBRUARY, 1835.

The House met pursuant to adjournment.

PRESENT :

<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> McDONELL,
<i>The Hon. & Ven. The</i> ARCHDEACON OF YORK,	“ “ ELMSLEY,
<i>The Honorable Messrs.</i> ALLAN,	“ “ BALDWIN,
“ “ GORDON,	“ “ CROOKS,

Members present.

Prayers were read.

The Minutes of yesterday were read.

Pursuant to the order of the day, the petition of George Buchanan, and others, proprietors and inhabitants of certain Townships in the Bathurst District, praying to be separated from the Counties of Carleton and Lanark, and formed into a distinct County under the name of Victoria, was read.

Petition of George Buchanan and others, read.

Pursuant to notice, 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 on Tuesday next, and that in the mean time it be printed for the use of Members.

and ordered to be printed.

Pursuant to the order of the day, the House was put into a Committee of the whole upon the bill entitled “An Act to extend the time for holding Elections in the County of Leeds.”

First Leeds Election 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 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.

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,

and referred to a Select Committee.

Ordered, that the Honorable Messrs. Allan, Gordon, and Crooks, do compose the same for that purpose.

Members composing same.

The Honorable Mr. Crooks brought up the petition of C. Willson, and others, inhabitants of the Township of Willoughby, in the District of Niagara; which was laid on the table.

Petition of C. Willson and others, brought up.

The Honorable Mr. Allan, from the Select Committee appointed to superintend the furnishing of the Legislative Council Chamber, presented their report.

Report upon the accounts of the Select Committee appointed to superintend the furnishing of the Legislative Council Chamber,

Ordered, that it be received; and,

The same was then read as follows:—

presented and read.

Friday, 20th February, 1835.

FIRST SESSION TWELFTH PROVINCIAL PARLIAMENT, 5th WILLIAM IV.

The Select Committee appointed to report upon the accounts for fitting up and altering the Legislative Council Chamber, beg leave to report :

The Report.

That they have examined the several accounts and vouchers for the same, all of which they find to be correct and satisfactory, shewing a balance now due of seven hundred and ninety-five pounds, fifteen shillings and six pence, which they recommend to the adoption of the House.

*Legislative Council Committee Room,
Eighteenth day of February, 1835.*

On motion made and seconded, it was,

A vote of thanks to the Committee given.

Ordered, that the thanks of this House are due to the Committee who were appointed to fit up the Legislative Council Chamber, and for the trouble they took in superintending and directing the necessary alterations, which have been done in so tasteful and satisfactory a manner.

Notice of bringing in Separatists privilege bill.

The Honorable and Venerable the Archdeacon of York gave notice, that tomorrow he would bring in a bill for extending certain privileges to a religious denomination called "Separatists."

House adjourns.

On motion made and seconded, the House adjourned.

FRIDAY, 20th FEBRUARY, 1835.

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</i> Mr. CROOKSHANK,	" " ELMSLEY,
<i>The Hon. & Ven. The</i> ARCHDEACON OF YORK,	" " BALDWIN,
<i>The Honorable Messrs.</i> ALLAN,	" " CROOKS,
" " GORDON,	

Prayers were read.

The Minutes of yesterday were read.

Petitions of Joseph Green and others;
Of Lewis G. Gordon, and others;
Of John Bostwick, and others;
Of William Matthews and others;

Of Duncan McFarland, and others;

Of John Denny, and others;

Of John Poore, and others;

Of George Lamprey, and others,

and two petitions of the President and Board of Police of Brockville, read.

Pursuant to the order of the day, the petition of Joseph Green, and others, inhabitants of the District of London; also, the petition of Lewis G. Gordon, and others, inhabitants of the Western District; also the petition of John Bostwick, and others, inhabitants of the District of London; also, the petition of William Matthews, and others, inhabitants of the District of Gore, respectively, praying for an Act increasing the Capital Stock of the Commercial Bank of the Midland District; also, the petition of Duncan McFarland, and others, inhabitants of the Township of Thorold, in the District of Niagara, praying that the County Town may be removed to a more central situation; also, the petition of John Denny, and others, inhabitants of certain Townships in the District of Gore, praying for an Act forming them into a separate Riding; also, the petition of John Poore, and others, inhabitants of certain Townships in the District of Gore, praying for an Act imposing a duty upon all American Produce imported into this Province; also, the petition of George Lamprey, and others, inhabitants of certain Townships in the District of Gore, praying for an Act erecting them into a new District, and constituting Guelph as the District Town thereof; also, the petition of the President and Board of Police of the Town of Brockville, praying for an Act amending the Assessment Law of this Province, so far as the same may relate to the said Town; and also, the petition of the President and Board of Police of the Town of Brockville, praying for an Act granting an additional inducement to persons to volunteer their services as Firemen in the said Town—were severally read.

Separatists privilege bill brought in.

Pursuant to notice, the Honorable and Venerable the Archdeacon of York, brought in a bill to allow the people called Separatists to make a solemn affirmation and declaration instead of an oath.

Read first time.

The said bill was then read; and it was,

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

Report of the Select Committee upon first Leeds Election bill, presented.

The Honorable Mr. Allan, from the Select Committee to whom was referred the bill entitled, "An Act to extend the time for holding Elections in the County of Leeds," presented their report.

Friday, 20th February, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

Ordered, that it be received; and,

The same was then read as follows:

Read.

The Select Committee to whom was referred the bill, entitled, "An Act to extend the time of holding Elections in the County of Leeds," beg leave to report the following amendments in and to the said bill, which they recommend to the adoption of the House, viz.:

In the bill, Line 1.—After "it" expunge the remainder of the preamble, and insert "is apprehended that at an approaching election for Members to represent the County of Leeds in the House of Assembly, it may not be found convenient to poll all the persons entitled to vote within the period prescribed by law, and it is expedient, in consequence of recent occurrences, to extend the period for that purpose."

The Report.

" 15.—Expunge "any" and insert "the."

" 16.—Expunge from "of" to "excepted" in line eighteen, and insert, "Members to represent the said County of Leeds in the House of Assembly of this Province, to hold and continue the same for a space of time not exceeding twelve successive days, Sunday."

" 19.—After 'case' expunge "any," and insert "the."

" 21.—Expunge "Post Meridian," and insert "in the afternoon."

" 22.—After "day" insert, "and provided always that this Act shall not extend to any election for the said County except that which shall be holden next after the passing of this Act."

All which is respectfully submitted,

(Signed.)

W. ALLAN,
CHAIRMAN.

Legislative Council Committee Room,
20th February, 1835.

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, forthwith.

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

Bill and report 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 some 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 to extend the time for holding Elections in the County of Leeds," and the report of the Select Committee thereon.

First Leeds Election bill, and the report thereon 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 and report thereon into consideration, and had made some amendments to the bill, which they recommended to the adoption of the House.

Amendments to the bill reported.

Ordered, that the report be received; and,

The said amendments were then read as follows:

Read first time.

In the title.—After "holding" expunge "Elections," and insert "the next Election."

In the bill, line 1.—After "it" expunge the remainder of the preamble, and insert, "is apprehended that at an approaching election for Members to represent the County of Leeds in the House of Assembly, it may not be found convenient to poll all the persons entitled to vote, within the period prescribed by law, and it is expedient, in consequence of recent occurrences, to extend the period for that purpose."

The amendments.

" 15.—Expunge "any" and insert "the."

H

Saturday, 21st February, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

Pursuant to the order of the day, the bill entitled "An Act to establish the boundary lines in the Township of Wolford, in the District of Johnstown," was read a second time; and it was,

Wolford's boundary line establishment bill read second time.

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 bill entitled "An Act to prevent the Erie and Ontario Rail-road Company from entering upon the Crown Lands reserved for Military purposes in the Niagara District, without the licence or consent of His Majesty, His Heirs or Successors, being first had and obtained," was read a second time; and it was,

Erie and Ontario Rail-road Company's prevention bill read second time.

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

Pursuant to notice, the Honorable the Speaker brought in a bill to amend the law respecting Bills of Exchange and Promissory Notes.

Bill of Exchange law amendment 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.

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

Messages from His Excellency the Lieutenant Governor.

J. COLBORNE,

The Lieutenant Governor transmits, and recommends to the favorable consideration of the Legislative Council, a copy of a petition of the Committee appointed by a public meeting of the inhabitants of the County of Simcoe, praying that Mr. Boyd may be remunerated for his survey of the proposed line of Canal to connect Lakes Huron and Simcoe.

Transmitting a copy of a petition, praying that Mr. Boyd may be remunerated for certain services.

Government House,

20th February, 1835.

J. COLBORNE.

The Lieutenant Governor transmits to the Legislative Council a copy of the report of the Commissioners appointed to superintend the erection of a Bridge across the Grand River, at Dunnville.

Transmitting a copy of the report of the Dunnville Bridge Commissioners.

Government House,

20th February, 1835.

J. COLBORNE.

The Lieutenant Governor transmits, for the information of the Legislative Council, a copy of a despatch which he has recently received from His Majesty's Secretary of State, respecting the copy of the valuable works of the Record Commission, which it is the intention of His Majesty's Government to forward to Toronto for the use of this Province.

Transmitting a copy of a Despatch respecting the valuable works of the Record Commission.

Government House,

20th February, 1835.

(COPY.)

Downing Street,

1st December, 1834.

SIR,

In answer to your Despatch, No. 59, of the 4th August last, containing an application from the Law Society of Upper Canada, for a copy of the works collected by the Record Commission, I have the honor to acquaint you, that the attention of my predecessor seems to have been drawn from various quarters to the gratification which would be experienced in the principal British Possessions in North America, if they were provided with sets of the works published in England, with so much care and at so much expense by the record Commission.

The copy.

It is almost needless to say that a strong wish was felt to seize so favorable an occasion of offering to His Majesty's Subjects, in North America, a token of the regard felt for them by the Government of the Mother Country; and also of furnishing them with the means of cherishing that interest which it is to be hoped they may long retain in the history and institutions of this Kingdom. An application was therefore made to the Record Commissioners,

Saturday, 21st February, 1835.

FIRST SESSION TWELFTH PROVINCIAL PARLIAMENT, 5th WILLIAM IV.

and I have now the pleasure to acquaint you, that they will be ready to supply a sufficient number of their publications to afford one copy to each British Colony on the Continent of North America, besides an extra copy for the important and flourishing City of Montreal; the works will be forwarded to you with as little delay as possible.

I must devolve upon yourself the task of selecting the place of deposit for the gift; merely remarking, that it should be a public library of sufficient permanence, security, and extent, to ensure the safe keeping of the records, and to justify the donation, and that of course it should be a spot accessible to all Members of the Legislature.

If it should appear to you that the Library of the Law Society of Upper Canada will best fulfil these conditions, I shall be very happy that the measure already determined on by the Government will furnish you with the means of complying with the Memorial you have forwarded from that body.

I have, &c.

M. General,
SIR JOHN COLBORNE, K. C. B.

(Signed) WELLINGTON,

J. COLBORNE,

The Lieutenant Governor transmits to the Legislative Council a copy of the report of the Commissioners appointed to superintend the completion of the Parliament Buildings.

Government House,
20th February, 1835.

Transmitting a copy of the report of the Parliament Buildings Commissioners.

J. COLBORNE,

The Lieutenant Governor transmits to the Legislative Council a copy of the report of the Commissioners appointed to superintend the erection of a Bridge across the River Trent.

Government House,
20th February, 1835.

Transmitting a copy of the report of the Trent Bridge Commissioners.

J. COLBORNE,

The Lieutenant Governor transmits to the Legislative Council a copy of the report of the Commissioners for the improvement of the Navigation of the River Saint Lawrence.

Government House,
20th February, 1835.

Transmitting a copy of the report of the Saint Lawrence Navigation Commissioners.

J. COLBORNE.

The Lieutenant Governor transmits to the Legislative Council a copy of the report of the Commissioners appointed to superintend the erection of a Light House on Point Pele Island.

Government House,
20th February, 1835.

Transmitting a copy of the report of the Point Pele Island Light-House Commissioners.

J. COLBORNE,

The Lieutenant Governor transmits to the Legislative Council a copy of the report of the Commissioners appointed to superintend and manage the erection of an Hospital in or near the town of Kingston.

Government House,
20th February, 1835.

Transmitting a copy of the report of the Kingston Hospital Commissioners.

J. COLBORNE,

The Lieutenant Governor transmits, and recommends to the favorable consideration of the Legislative Council, a copy of a petition of several inhabitants of the Town of Kingston, praying for aid to cut a Canal through Wolfe Island.

Government House,
20th February, 1835.

Transmitting a copy of a petition, praying for aid to cut a Canal through Wolfe Island.

Monday, 23rd February, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

J. COLBORNE,

The Lieutenant Governor transmits to the Legislative Council a copy of the report of the Commissioners appointed for the improvement of the Harbour of Toronto.

Transmitting the report of the Toronto Harbour Commissioners.

Government House,
20th February, 1835.

J. COLBORNE.

The Lieutenant Governor transmits to the Legislative Council a copy of the report of the Commissioners appointed to superintend the erection of a Penitentiary in this Province.

Transmitting the report of the Penitentiary Commissioners.

Government House,
20th February, 1835.

Ordered, that an address be presented to the Lieutenant Governor, respectfully thanking His Excellency for his several Messages of this day, transmitting a copy of a Despatch from His Majesty's Secretary of State for the Colonies, copies of reports of Commissioners, and sundry petitions for aid; and assuring His Excellency that this House will not fail to attend to His Excellency's favorable recommendation of the latter subject; and,

Address of thanks to His Excellency ordered to be presented for the above messages.

Ordered, that the Honorable Messrs. Clark and Baldwin, do present the same.

Committee appointed for that purpose.

The Honorable the Speaker gave notice, that on Monday next he would bring 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.

Notice of bringing in seduction provision bill.

The Honorable Mr. Clark brought up the petition of D. McKinnon, and others, inhabitants of the District of Bathurst; and also the petition of Charles Symmes, and others, inhabitants of the Districts of Bathurst and Ottawa, which were laid on the table.

Petitions of D. McKinnon, and others; And of Charles Symmes, and others, brought up.

The Honorable Mr. Gordon brought up the petition of James Fortier, of the Township of Toronto, which was laid on the table.

Petition of James Fortier, brought up.

The Honorable Mr. Elmsley brought up the petition of George Hollinshead, and others, inhabitants of East Gwilliambury, in the Home District; and also the petition of Moses Willson, and others, inhabitants of this Province, which were laid on the table.

Petitions of George Hollinshead, and others; And of Moses Willson, and others, brought up.

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

House adjourns.

MONDAY, 23rd FEBRUARY, 1835.

The House met pursuant to adjournment.

House meets.

PRESENT :

<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> McDONELL,
<i>The Honorable Messrs.</i> CLARK,	“ “ ELMSLEY,
“ “ MARKLAND,	“ “ BALDWIN,
“ “ GORDON,	“ “ ADAMSON,

Members present.

Prayers were read.

The Minutes of Saturday last were read.

Pursuant to notice, 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 in this Province.

Quarter Sessions time and place appointment 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 Thursday next.

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 the boundary lines of the Township of Wolford, in the District of Johnstown."

Wolford's boundary line establishment bill, committed.

The Honorable Mr. Clark 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 they delivered at the bar a Message in the following words, and then withdrew.

A bill brought up;

Monday, 23rd February, 1835.

FIRST SESSION TWELFTH PROVINCIAL PARLIAMENT, 5th WILLIAM IV.

MR. SPEAKER,

and a message requesting that the Hon. and Ven. the Archdeacon of York, and the Hon. Messrs. Markland, Dunn, and P. Robinson, may have leave to attend a Select Committee of the Assembly.

The Commons House of Assembly request that the Honorable the Legislative Council will please to grant leave to the Honorable and Venerable Archdeacon Strachan, (a Member of the Executive Council); the Honorable George Herchimer Markland, (Inspector General of public accounts); the Honorable John Henry Dunn, (Receiver General), and the Honorable Peter Robinson, (Commissioner of Crown Lands), Members of your Honorable House, to attend this House, in order to their being examined as witnesses before the Committee on grievances, and to whom the Despatch of His Majesty's principal Secretary of State for the Colonies, to the Lieutenant Governor of this Province, of date the 8th November, 1832, stands committed.

(Signed)

MARSHALL S. BIDWELL,
SPEAKER.

*Commons House of Assembly,
10th day of February, 1835.*

Wolford's boundary line establishment bill recommitted.

The House was then again put into a Committee of the whole upon the bill entitled, "An Act to establish the boundary lines of the Township of Wolford, in the District of Johnstown."

The Honorable Mr. Clark took the Chair.

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

Writ of Error bill passed by the Assembly, without amendment.

A Deputation from the Commons House of Assembly returned the bill sent down from this House, entitled, "An Act to allow the issuing of Writs of Error from the Court of King's Bench," and acquainted the Legislative Council, that the Commons House of Assembly had passed this Bill without amendment: The same Deputation returned the bill sent down from this House, entitled, "An Act to enable Suitors in the District Courts to procure the attendance of Witnesses from any District in this Province," and acquainted the Legislative Council that the Commons House of Assembly had made some amendments therein, to which they requested the concurrence of this House: The same Deputation returned the bill entitled, "An Act to extend the time for holding Elections in the County of Leeds," and acquainted this House that the Commons House of Assembly had concurred in the amendments made by the Legislative Council in and to the same: The same Deputation brought up a bill, to which they requested the concurrence of this House, and then withdrew.

District Court witness bill returned by the Assembly, amended.

First Leeds election bill returned, and the amendments acceded to by the Assembly.

A bill brought up from the Assembly.

Wolford's boundary line establishment bill, recommitted.

The House was then again put into a Committee of the whole upon the bill entitled "An Act to establish the boundary lines of the Township of Wolford, in the District of Johnstown,"

The Honorable Mr. Clark took the Chair.

After some time the House resumed.

Reported,

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.

Ordered, that the report be received; and,

And referred to a Select Committee.

Ordered, that the said bill be referred to a Select Committee to report thereon; and,

Members composing same.

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

Speaker reports the receipt of Niagara Quarter Sessions bill;

His Honor the Speaker reported to the House, that a Deputation from the Commons House of Assembly had brought up a bill entitled "An Act to alter the times of holding the Court of Quarter Sessions in the District of Niagara;" and also a bill entitled, "An Act to continue the Road Acts of 1833 and 1834;" to which they requested the concurrence of this House.

And Road Acts of 1833 and 1834, continuation bill, from the Assembly.

Niagara Quarter Sessions bill, read first time.

The bill entitled, "An Act to alter the times of holding the Court of Quarter Sessions in the District of Niagara," was then read, and it was,

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

On motion made and seconded, it was,

Leave given to the Hon. Mr. Markland, to attend a Select Committee of the Assembly;

Ordered, that the Honorable George H. Markland, have leave to attend a Select Committee of the Commons House of Assembly, as desired by that House in their Message of this day, if he thinks fit; and,

Monday, 23rd February, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

Ordered, that the Master in Chancery do go down to the Assembly and acquaint that House, that the Honorable George H. Markland, has leave to attend a Select Committee of the Commons House of Assembly, as desired by that House in their Message of this day, if he thinks fit.

And that House acquainted thereof.

The bill entitled, "An Act to continue the Road Acts of 1833 and 1834, was read, and it was,

Road Acts of 1833 and 1834 continuation bill, read first time.

Ordered, that the same be read a second time tomorrow.

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 Erie and Ontario Rail-road Company from entering upon the Crown Lands, reserved for Military purposes, in the Niagara District, without the licence or consent of His Majesty, His Heirs or Successors, being first had and obtained."

Erie and Ontario Rail-road Company's prevention 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, 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 to amend the law respecting Bills of Exchange and Promissory Notes, was read a second time, and it was,

Bill of Exchange law amendment bill, read second time.

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

The amendments of the Commons House of Assembly in and to the bill sent down from this House, entitled, "An Act to enable suitors in the District Courts to procure the attendance of Witnesses from any District in this Province," were then read, as follows:—

Amendments of the Assembly to District Court Witnesses bill read first time.

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 enable Suitors in the District Courts to procure the attendance of Witnesses from any District in this Province."

In the title, after the word "Province," insert "and to authorise certain persons therein named to take affidavits in the District Courts."

The amendments.

At the end of the last clause, insert "3. And be it further enacted by the authority aforesaid, That all affidavits in any cause pending, or hereafter to be brought in any District Court in this Province, may be taken before any Commissioner appointed for taking affidavits in His Majesty's Court of King's Bench in this Province, as well as before the Judge or Clerk thereof."

Ordered, that the said amendments be read a second time tomorrow.

Pursuant to notice, his Honor 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."

Seduction provision bill brought in.

The said bill was then read, and it was,

Read first time.

Ordered, that the same be read a second time tomorrow.

Pursuant to the order of the day, the petition of D. McKinnon, and others, inhabitants of the District of Bathurst, praying for an Act increasing the Capital Stock of the Commercial Bank of the Midland District, to £200,000; also, the petition of Charles Symmes, and others, inhabitants of the Districts of Bathurst and Ottawa, praying against the imposition of any duty upon the importation of Pork or Bread stuffs from the United States of America; also, the petition of James Fortier, of the Township of Toronto, praying for relief; also, the petitions of George Hollinshead, and others, inhabitants of East Gwillimbury, in the Home District; and Moses Willson, and others, Inhabitants of this Province, respectively praying for the establishment of a Provincial Loan Office—were severally read.

Petitions of D. McKinnon, and others;

Of Charles Symmes, and others;

Of James Fortier;

Of George Hollinshead, and others; And of Moses Willson, and others, read.

The Honorable Mr. Elmsley brought up the petition of George C. Street, and others, inhabitants of the Gore, London, and Western Districts; also, the petition of Colin McNeilledge, and others, inhabitants of the Gore, London, and Western Districts; also, the petition of William Case, and others, inhabitants of the District of Gore; also, the petition of John Williamson, and others, inhabitants of the District of Gore; and also, the petition of John Watson, and others, inhabitants of the District of Gore—which were laid on the table.

Petitions of George C. Street, and others; Of Colin McNeilledge, and others;

Of William Case, and others;

Of John Williamson, and others;

And of John Watson, and others, brought up.

Tuesday, 24th February, 1835.

FIRST SESSION TWELFTH PROVINCIAL PARLIAMENT, 5th WILLIAM IV.

Report of the Select Committee appointed to present an address of thanks to His Excellency.

The Honorable Mr. Clark, from the Select Committee appointed to present an address to the Lieutenant Governor, thanking His Excellency for his several messages of Saturday last, reported that they had done so.

Petitions of Daniel Snyder, and others; Of William Miller, and others; Of M. Overfield, and others; And of M. Patrick, and others, brought up.

The Honorable Mr. Allan brought up the petition of Daniel Snyder, and others, inhabitants of certain Townships in the District of Gore; also, the petition of William Miller, and others, inhabitants of this Province; also, the petition of M. Overfield, and others, Stockholders in the Desjardins Canal; and also, the petition of M. Patrick, and others, inhabitants of the Township of Dumfries, and its vicinity; which were laid on the table.

House adjourns.

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

TUESDAY, 24th FEBRUARY, 1835.

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> CLARK,	" " ELMSLEY,
" " MARKLAND,	" " BALDWIN,
" " GORDON,	" " ADAMSON.

Prayers were read.

The Minutes of yesterday were read.

Report of the Select Committee upon Woford's boundary line establishment bill, presented.

The Honorable Mr. Elmsley, from the Select Committee to whom was referred the bill sent up from the Commons House of Assembly, entitled, "An Act to establish the boundary lines of the Township of Woford, in the District of Johnstown," presented their report.

Ordered, that it be received; and,

Read.

The same was then read 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 establish the boundary lines of the Township of Woford, in the District of Johnstown," beg leave to report, that they have carefully examined the bill, and recommend the same without amendment to the adoption of your Honorable House.

All which is respectfully submitted,

(Signed.)

J. ELMSLEY,
CHAIRMAN, L. C.

*Legislative Council Committee Room,
24th February, 1835.*

On motion made and seconded, it was,

Ordered, that the House be forthwith put into a Committee of the whole upon the last mentioned bill, and the report of the Select Committee thereon.

Bill and report committed.

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

The Honorable Mr. Markland took the Chair.

After some time the House resumed.

Reported.

The Chairman reported that the Committee had taken the said bill and report into consideration, had made some progress in the bill, and recommended that it be referred back to the same Select Committee to report thereon.

Ordered, that the report be received; and,

And referred back to the same Select Committee.

Ordered, that the said Bill be referred back to the same Select Committee to report thereon.

Justice advancement bill, read second time.

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,

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

Separatists' privilege bill, read second time.

Pursuant to the order of the day, the bill to allow the people called Separatists to make a solemn affirmation and declaration instead of an oath, was read a second time; and it was,

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

Tuesday, 24th February, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

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, Spalding and others naturalization 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.

Ordered, that the Honorable Messrs. Clark and Baldwin do compose the Committee for that purpose. Members composing same.

Pursuant to the order of the day, the bill entitled "An Act to continue the Road Acts of 1833 and 1834," was read a second time; and it was, Road Acts of 1833 and 1834 continuation 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 to amend the law respecting Bills of Exchange and Promissory Notes. Bill of Exchange law amendment bill, committed.

The Honorable Mr. Adamson took the Chair.

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

The Honorable Mr. Allan 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 then withdrew. A bill brought up from the Assembly.

The Honorable and Venerable the Archdeacon of York enters. A Member enters.

The House was then again 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, recommitted.

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, had made some progress therein, and asked leave to sit again on Friday next. Reported and leave asked to sit again.

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

The Honorable Messrs. Crookshank and P. Robinson enter. Members enter.

His Honor the Speaker reported to the House that he had been informed that His Excellency the Lieutenant Governor would repair to the Legislative Council Chamber this day, at one of the clock, P. M. for the purpose of assenting to the bills which have passed the two branches of the Legislature during the present Session. Speaker reports that certain bills would receive the Royal Assent by His Excellency this day.

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 thereto, His Excellency was pleased, in His Majesty's name, to assent to the following bills:— His Excellency comes to the House and commands the attendance of the Assembly.

1. An Act to extend the time for holding the next Election in the County of Leeds. First Leeds election bill;
2. An Act to allow the issuing of Writs of Error from the Court of King's Bench. Writ of Error bill;
3. An Act to provide for the payment of wages to the Members of the House of Assembly who represent the different Towns in this Province. And Town Members wages bill;

Then the House of Assembly retired, and His Excellency and suite withdrew; after which, the House formed. And retires.

His Honor the Speaker reported to the House that a Deputation from the Commons House of Assembly had brought up a bill, entitled, "An Act to authorise His Majesty's Justices of the Court of King's Bench to hold a Court of Oyer and Terminer, Assize, of Nisi Prius and General Gaol Delivery, in and for the District of Ottawa," to which they requested the concurrence of this House and then withdrew. Speaker reports the receipt of Ottawa District Assize Court 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 on Thursday next.

The Honorable Mr. Elmsley, from the Select Committee to whom was again referred the bill entitled "An Act to establish the boundary lines of the Township of Woford, in the District of Johnstown," presented their second report. Second report of the Select Committee upon Woford's boundary line establishment bill, presented.

Ordered, that it be received; and,

The same was then read as follows: Read.

Wednesday, 25th February, 1835.

FIRST SESSION TWELFTH PROVINCIAL PARLIAMENT, 5th WILLIAM IV.

The Select Committee to whom was referred the bill sent up from the Assembly, entitled, "An Act to establish the boundary lines of the Township of Wolford, in the District of Johnstown," beg leave to report—

The second report.

That they have had the Surveyor General before them, with a Map of the Township of Wolford; also, Mr. Burrett, and Mr. Moore, two respectable persons, residents of that Township, from whose evidence it appears that the bill is calculated to prevent much mischief to almost every individual throughout the Township. The Government Deeds express the course of the western boundary of the Township as the governing course for the side lines of all the lots except number one in each concession. They therefore recommend the bill without amendment to the adoption of your Honorable House.

(Signed)

J. ELMSLEY,
CHAIRMAN, S. C.

*Legislative Council Committee Room,
23rd February, 1835.*

On motion made and seconded, it was,

Ordered, that the House be forthwith put into a Committee of the whole upon the last mentioned bill, and the report of the Select Committee thereon.

Bill and report committed.

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

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 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.

Seduction provision bill, read second time.

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 tomorrow to take the same into consideration.

Amendments of the Assembly to District Court witnesses 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 sent down from this House, entitled, "An Act to enable Suitors in the District Courts to procure the attendance of Witnesses from any District in this Province," were read a second time; and it was,

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

Petition of William Wilson, and others, brought up.

The Honorable Mr. Clark brought up the petition of William Wilson, and others, Inhabitants of the District of London; which was laid on the table.

On motion made and seconded, it was,

Leave granted to the Hon. and Ven. the Archdeacon of York, and the Hon. Mr. P. Robinson, to attend a Select Committee of the Assembly; And that House acquainted thereof.

Ordered, that the Honorable and Venerable the Archdeacon of York, and the Honorable Mr. P. Robinson, have leave to attend a Select Committee of the Commons House of Assembly, as desired by that House in their message received yesterday, if they think fit; and,

Ordered, that the Master in Chancery do go down to the Assembly and acquaint that House that the Honorable and Venerable the Archdeacon of York, and the Honorable Mr. P. Robinson, have leave to attend a Select Committee of the Commons House of Assembly, as desired by that House in their Message received yesterday, if they think fit.

House adjourns.

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

WEDNESDAY, 25th FEBRUARY, 1835.

House meets,

The House met pursuant to adjournment.

PRESENT :

Members present.

The Honorable JOHN B. ROBINSON, SPEAKER.

The Honorable Messrs. CLARK,

" " MARKLAND,

" " DUNN,

The Honorable Messrs. GORDON,

" " McDONELL,

" " ELMSLEY,

" " BALDWIN,

Wednesday, 25th February, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

Prayers were read.

The Minutes of yesterday were read.

Pursuant to the order of the day, the bill entitled "An Act to establish the boundary lines of the Township of Wolford, in the District of Johnstown," was read a third time and passed.

Wolford's boundary line establishment 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 amendment.

And the Assembly acquainted thereof.

Pursuant to the order of the day, the petitions of George C. Street, and others; and of Colin McNeilledge, and others, inhabitants of the Gore, London, and Western Districts, respectively praying for an Act of incorporation for the purpose of establishing a double or single Rail-way between Port Dover, in the London, and Hamilton, in the Gore Districts; also, the petitions of William Case, and others; of John Williamson, and others; and of John Watson, and others, inhabitants of the District of Gore, respectively praying for an Act establishing a Bank at the Town of Hamilton, in the said District; also, the petition of Daniel Snyder, and others, inhabitants of certain Townships in the District of Gore; of William Miller, and others, inhabitants of this Province; and of M. Patrick, and others, inhabitants of the Township of Dumfries, and its vicinity, respectively praying for an Act imposing a duty upon all American produce imported into this Province; and also, the petition of M. Overfield, and others, Stockholders in the Desjardins Canal, praying for a further loan of £7000—were severally read.

Petitions of George C. Street, and others; Of Colin McNeilledge and others;

Of William Case, and others; Of John Williamson, and others; Of John Watson, and others; Of Daniel Snyder, and others; Of William Miller, and others; Of M. Patrick, and others;

And of M. Overfield, and others, read.

The Honorable and Venerable the Archdeacon of York, and the Honorable Mr. Adamson enter.

Members enter.

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.

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 tomorrow.

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 put into a Committee of the whole upon the bill to allow the people called Separatists to make a solemn affirmation and declaration instead of an oath, it was,

Separatists' privilege bill discharged from the order of the day.

Ordered to be discharged, and that the same do stand upon the order of the day for tomorrow.

Pursuant to the order of the day, the House was put into a Committee of the whole upon the bill entitled, "An Act to continue the Road Acts of 1833 and 1834."

Road Acts of 1833 and 1834 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 without amendment to the adoption of the House.

Reported.

Ordered, that the report be received.

Adopted.

On motion made and seconded, it was,

Ordered, that the Honorable John H. Dunn have leave to attend a Select Committee of the Commons House of Assembly, as desired by that House in their Message received on Monday last, if he thinks fit; and,

Leave given to the Hon. Mr. 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 John H. Dunn, has leave to attend a Select Committee of the Commons House of Assembly, as desired by that House in their Message received on Monday last, if he thinks fit.

And that House acquainted of same.

On motion made and seconded, it was,

Ordered, that the bill entitled "An Act to continue the Road Acts of 1833 and 1834," be read a third time tomorrow.

The Honorable Mr. Baldwin brought up the petition of Richard Bullock, and others, inhabitants of the District of Prince Edward; which was laid on the table.

Petitions of Richard Bullock, and others; brought up.

Friday, 27th February, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

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

Pursuant to the order of the day, the petition of William Wilson, and others, inhabitants of the District of London, praying that the time allowed by law for commencing with the Port Dover Harbour, may be extended, was read. Petition of William Wilson, and others, 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, 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 further progress therein, and asked leave to sit again tomorrow. 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 allow the people called Separatists to make a solemn affirmation and declaration instead of an oath. Separatists' privilege bill, recommitted.

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 amendment to the adoption of the House. Reported.

Ordered, that the report be received; and,

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

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

FRIDAY, 27th FEBRUARY, 1835.

The House met pursuant to adjournment. House meets.

PRESENT:

<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER,	<i>The Honorable Messrs.</i> GORDON,	Members present.
<i>The Honorable Messrs.</i> CLARK,	" " McDONELL,	
" " CROOKSHANK,	" " ELMSLEY,	
<i>The Hon. & Ven. The</i> ARCHDEACON OF YORK,	" " ADAMSON.	
<i>The Honorable Mr.</i> MARKLAND,		

Prayers were read.

The Minutes of yesterday were read.

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 enable Suitors in the District Courts to procure the attendance of Witnesses, from any District in this Province." were read a third time and passed. Amendments of the Assembly to District Court Witnesses 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 acceded to the amendments made by the Commons House of Assembly in and to the said Bill. And that House acquainted thereof.

Pursuant to the order of the day, the bill to allow the people called Separatists to make a solemn affirmation and declaration, instead of an oath, was read a third time and passed; and it was, Separatists' privilege bill, read third time and passed.

Ordered, that the title be, "An Act to allow the people called Separatists to make a solemn affirmation and declaration, instead of an oath." Title ordered.

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

Ordered, to 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 again 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, recommitted.

The Honorable Mr. Markland took the Chair.

Monday, 2nd March, 1835.

FIRST SESSION TWELFTH PROVINCIAL PARLIAMENT, 5th WILLIAM IV.

	After some time the House resumed.
A Member enters.	The Honorable Mr. Allan enters.
Reported.	The Chairman reported that the Committee had gone through the last mentioned bill, and recommended the same without 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 on Monday next.
Seduction provision bill, recommitted.	Pursuant to the order of the day, the House was again 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. Elmsley 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 further progress therein, and asked leave to sit again on Wednesday next.
Leave granted.	Ordered, that the report be received, and leave granted accordingly.
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 of the Court of King's Bench to hold a Court of Oyer and Terminer, Assize, of Nisi Prius and General Gaol Delivery, in and for the District of Ottawa." The Honorable Mr. Allan 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 next Monday sennight.
Leave granted.	Ordered, that the report be received, and leave granted accordingly.
Justice advancement bill recommitted.	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. The Honorable Mr. Elmsley 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 further progress therein, and asked leave to sit again on Monday next.
Leave granted.	Ordered, that the report be received, and leave granted accordingly.
Petitions of Richard Bullock, and others;	Pursuant to the order of the day, the petition of Richard Bullock, and others, inhabitants of the District of Prince Edward, praying for an Act granting a sufficient sum of money for the erection and permanent support of an Asylum for the reception and treatment of insane persons; also the petition of Frederick Allen Spalding, of the County of Oxford, praying for an Act conferring upon him the rights and privileges of a British Subject; and also the petition of the Governor and Directors of the British America Life and Fire Assurance Company, praying for an Act to repeal certain clauses of their Charter—were severally read.
Of Frederick Allen Spalding;	
And of the Governor and Directors of the British America Life and Fire Assurance Company, read.	
House adjourns.	On motion made and seconded, the House adjourned until Monday next, at one of the clock, P. M.

MONDAY, 2nd MARCH, 1835.

House meets. The House met pursuant to adjournment.

PRESENT :

Members present.	<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> GORDON,
	<i>The Honorable Messrs.</i> CLARK,	" " McDONELL,
	" " CROOKSHANK,	" " ELMSLEY,
	" " ALLAN,	" " ADAMSON,

Prayers were read.

The Minutes of Friday were read.

Bill of Exchange law amendment bill, read 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.

Whereupon the Speaker signed the bill, and it was,

Monday, 2nd March, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

Ordered, that it 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 to prevent the Erie and Ontario Rail-road Company from entering upon the Crown Lands reserved for Military purposes in the Niagara District, without the licence or consent of His Majesty, His Heirs or Successors, being first had and obtained." Erie and Ontario Rail-road Company's prevention bill, recommitted.

The Honorable Mr. Adamson took the Chair.

After some time the House resumed. House resumes.

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, recommitted.

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 it be received; and, Adopted.

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

The Honorable Mr. Crookshank, from the Select Committee to whom was referred the bill to appoint the time and place for holding the Courts of general Quarter Sessions of the Peace in each of the several Districts of this Province; and also the bill sent up from the Commons House of Assembly, entitled "An Act to alter the times of holding the Court of Quarter Sessions in the District of Niagara," presented their report. Report of the Select Committee upon Quarter Sessions time and place appointment bill; And upon Niagara Quarter Sessions bill, presented.

Ordered, that it be received; and, Read.

The same was then read by the Clerk as follows:

The Committee to whom was referred the bill to appoint the time and place for holding the Courts of general Quarter Sessions of the Peace in each of the several Districts of this Province; and the bill sent from the Assembly, entitled, "An Act to alter the times of holding the Court of Quarter Sessions in the District of Niagara," respectfully report—

That on examining the former bill they find the same to correspond with the Acts therein referred to, and on their examination of the different Acts it does not appear that any period was named in any of the former Acts for holding the Courts of Quarter Sessions in the Districts of Newcastle and Gore. The report

The Committee recommend that the Quarter Sessions for the District of Niagara should be holden on the second Tuesday of January, April, July and October, in conformity with the provisions of the bill sent from the Assembly, instead of the days named in the aforesaid first mentioned bill.

(Signed)

GEO. CROOKSHANK,
CHAIRMAN.

*Legislative Council Committee Room,
2nd day of March, 1835.*

Ordered, that the House be put into a Committee of the whole tomorrow to take the two last mentioned bills into consideration, as also the report of the Select Committee thereon.

The Honorable Mr. Baldwin enters. A Member enters.

A Deputation from the Commons House of Assembly brought up a bill entitled, "An Act to amend the Jury Laws of this Province," and also a bill entitled, "An Act to define the limits of the Town of Brantford, in the district of Gore, and to establish a Police and public Market therein," to which they requested the concurrence of this House and then withdrew. Jury Law amendment bill; And Brantford Police bill, brought up from the Assembly.

The bill entitled "An Act to amend the Jury Laws of this Province," was read; and it was, Jury Law amendment bill, read 1st time;

Ordered, that the same be read a second time on Thursday next, and that in the mean time it be printed for the use of Members. And ordered to be printed.

The bill entitled "An Act to define the limits of the Town of Brantford, in the District of Gore, and to establish a Police and public Market therein," was read; and it was, Brantford Police bill read first time.

Ordered, that the same be read a second time tomorrow.

3rd & 5th March, 1835.

FIRST SESSION TWELFTH PROVINCIAL PARLIAMENT, 5th WILLIAM IV.

Petitions of Henry Sackrider, and others; And of James Hamilton, and others, brought up.

The Honorable Mr. Clark brought up the petition of Henry Sackrider, and others, inhabitants of the Township of Norwich; and also the petition of James Hamilton, and others, inhabitants of the County of Middlesex; which were laid on the table.

House adjourns.

On motion made and seconded, the House adjourned.

TUESDAY, 3rd MARCH, 1835.

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> CLARK,	" " BALDWIN,
" " GORDON,	" " ADAMSON,
" " McDONELL,	

Prayers were read.

The Minutes of yesterday were read.

Quarter Sessions time and place appointment bill; And Niagara Quarter Sessions bill, and the report thereon, committed.

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 Courts of General Quarter Sessions of the Peace in each of the several Districts of this Province; and also the bill sent from the Assembly, entitled, "An Act to alter the times of holding the Court of Quarter Sessions in the District of Niagara," together with the report of the Select Committee thereon.

The Honorable Mr. Adamson took the Chair.

After some time the House resumed.

Reported. Quarter Sessions time and place appointment bill,

The Chairman reported that the Committee had agreed to the bill to appoint the time and place for holding the Courts of General Quarter Sessions of the Peace in each of the several Districts of this Province, with the amendments recommended by the Select Committee, and recommended the bill to the adoption of the House.

adopted.

Ordered, that the report be received; and,

Ordered, that the bill be engrossed, and the same read a third time on Thursday next.

Members enter.

The Honorable Messieurs Crookshank and Allan enter.

Brantford Police bill read second time;

Pursuant to the order of the day, the bill entitled "An Act to define the limits of the Town of Brantford, in the District of Gore, and to establish a Police and Public Market therein", was read a second time, and it was,

And referred to a Select Committee.

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

Members composing same.

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

Erie and Ontario Rail-road Company's incorporation bill, brought in. Read first time,

The Honorable Mr. Clark brought in a bill to incorporate certain persons therein mentioned, under the name and style of the Erie and Ontario Rail-road Company.

The said bill was then read; and it was,

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

House adjourns.

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

THURSDAY, 5th MARCH, 1835.

House meets,

The House met pursuant to adjournment.

PRESENT :

Members present.

<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> GORDON,
<i>The Honorable Messrs.</i> CLARK,	" " McDONELL,
" " CROOKSHANK,	" " BALDWIN,
<i>The Hon. & Ven.</i> The ARCHDEACON OF YORK,	" " ADAMSON:

Prayers were read.

The Minutes of Tuesday last 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,

Friday, 6th March, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

Ordered that the title be, "An Act for the further amendment of the Law and the better advancement of Justice." 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 bill to appoint the time and place for holding the Court of General Quarter Sessions of the Peace in each of the several Districts in this Province, was read a third time and passed; and it was, Quarter Sessions time and place appointment bill, read third time and passed.

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 in this Province, and to repeal the several Laws now in force for that purpose." 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. Elmsley 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, to make the remedy in cases of seduction more effectual, and to render the fathers of illegitimate children liable for their support. Seduction provision bill, recommitted.

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 the same read a third time to-morrow.

Pursuant to the order of the day, the bill entitled, "An Act to amend the Jury Laws of this Province," was read a second time, and it was, Jury Law amendment bill, read second time.

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 bill to incorporate certain persons therein mentioned, under the name and style of the Erie and Ontario Rail-road Company, was read a second time, and it was, Erie and Ontario Rail-road Company's incorporation bill, read second time.

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

Pursuant to the order of the day, the Petition of Henry Sackrider, and others, inhabitants of the Township of Norwich, praying for an Act imposing a duty upon all American produce imported into this Province; and also the petition of James Hamilton and others, inhabitants of the County of Middlesex, praying for an Act to relieve Elias Moore, Jesse Page, and Thomas Eddison, who were given as Sureties for finishing the work at Kettle Creek Harbour, were severally read. Petitions of Henry Sackrider, and others; And of James Hamilton, and others, read.

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

FRIDAY, 6th MARCH, 1835.

The House met pursuant to adjournment. House meets.

PRESENT :

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

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.

Monday, 9th March, 1835.

FIRST SESSION TWELFTH PROVINCIAL PARLIAMENT, 5th WILLIAM IV.

Title ordered.	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."
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.
Honorable Mr. Burnham enters, and takes the oath prescribed by law.	The Honorable Mr. Burnham entered, and came to the table, and took and subscribed the Oath prescribed by the Statute of the 31st Geo. 3d, Chap. 31st, as required by the third Rule of the House.
Erie and Ontario rail-road company's corporation bill committed.	Pursuant to the order of the day, the House was put into a Committee of the whole upon the bill to incorporate certain persons therein mentioned, under the name and style of the Erie and Ontario Rail-road 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 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.
Notice of bringing in Quarter Sessions jurisdiction extension bill.	The Honorable the Speaker gave notice that he would, on Monday next, bring in a bill to extend the Jurisdiction of the Courts of General Quarter Sessions of the Peace in this Province, in cases of Larceny.
Petition of Ebenezer Perry and others, brought up.	The Honorable Mr. Gordon brought up the petition of Ebenezer Perry, and others, inhabitants of the Town of Cobourg, 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, 9th MARCH, 1835.

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> CLARK,	" " BURNHAM,
	" " CROOKSHANK,	" " ELMSLEY,
	" " ALLAN,	" " BALDWIN,
	" " GORDON,	" " CROOKS,

Prayers were read.

The Minutes of Friday were read.

Erie and Ontario Rail Road Company's Corporation Bill read third time and passed. Pursuant to the order of the day, the bill to incorporate certain persons therein mentioned under the name and style of the Erie and Ontario Rail-road Company, was read a third time and passed, and it was,

Title ordered. Ordered, that the title be, "An Act to incorporate certain persons therein mentioned under the name and style of the Erie and Ontario Rail-road Company."

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

and sent to 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.

Ottawa District Assize Court Bill recommitted. 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 of the Court of King's Bench to hold a Court of Oyer and Terminer, Assize, of Nisi Prius and General Gaol Delivery, in and for the District of Ottawa."

The Honorable Mr. Allan took the Chair.

House resumes. After some time the House resumed.

Jury 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 Jury Laws of this Province."

The Honorable Mr. Crooks 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 several bills, to which they requested the concurrence of this House, and then withdrew.

Monday, 9th March, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

The House was then again put into a Committee of the whole upon the bill entitled, "An Act to amend the Jury Laws of this Province." Jury law amendment bill recommitted.

The Honorable Mr. Crooks took the Chair.

After some time the House resumed. House resumes.

His Honor the Speaker reported to the House that a Deputation from the Commons House of Assembly had brought up a bill, entitled, "An Act to grant the sum of four hundred pounds for the construction of a Bridge at Parrots Bay,"—also a bill entitled, "An Act for the disposal of the Clergy Reserves in this Province for the purposes of general education,"—also a bill entitled, "An Act to provide for a Survey of the Township of Loughborough,"—also a bill entitled, "An Act to prevent the unnecessary multiplication of Lawsuits, and increase of costs in actions on Notes, Bonds, Bills of Exchange and other instruments,"—also a bill entitled, "An Act to incorporate a Joint Stock Company for the construction of a Harbour at the mouth of Stoncy Creek, on Lake Ontario,"—also a bill entitled, "An Act for the more equal distribution of the property of persons dying intestate,"—also a bill entitled, "An Act to incorporate a Joint Stock Company for the manufacture of Salt in the Township of Saltfleet, in the Gore District,"—and also a bill entitled, "An Act to incorporate certain persons therein mentioned under the style and title of the President, Directors and Company, of the Grimsby Breakwater, Pier and Harbour Company," to which they requested the concurrence of this House. Speaker reports the receipt of Parrot's Bay Bridge grant bill.
Clergy reserve's sale bill.
Loughborough's survey bill.
Law suits prevention bill.
Stoney Creek Harbour's construction bill.
Intestate distribution bill.
Saltfleet Salt Company's incorporation bill;
and Grimsby Harbor Company's incorporation bill from the Assembly.

The bill entitled "An Act to grant the sum of four hundred pounds for the construction of a Bridge at Parrots Bay," was read ; and it was, Parrot's Bay Bridge grant bill, read first time.

Ordered, that the same be read a second time tomorrow.

The bill entitled "An Act for the disposal of the Clergy Reserves in this Province for the purposes of general education," was read ; and it was, Clergy Reserve's sale Bill, read first time,

Ordered, that the same be read a second time on Monday next, and that in the mean time it be printed for the use of Members ; and, and ordered to be printed.

Ordered, that the Members in Town be summoned to attend in their places on that day. Members summoned.

A Deputation from the Commons House of Assembly brought up a bill entitled, "An Act to reduce to one Act of Parliament the several laws relative to the appointment and duties of Township Officers in this Province," to which they requested the concurrence of this House, and then withdrew. Township Officers appointment bill brought up from the Assembly.

The bill entitled, "An Act to provide for a Survey of the Township of Loughborough," was read ; and it was, Loughborough's survey bill, read first time.

Ordered, that the same be read a second time tomorrow.

The bill entitled, "An Act to prevent the unnecessary multiplication of Lawsuits and increase of costs in actions on Notes, Bonds, Bills of Exchange and other instruments," was read ; and it was, Law suits prevention bill, read first time.

Ordered, that the same be read a second time tomorrow, and that it be printed for the use of Members. Ordered to be printed.

The bill entitled, "An Act to incorporate a Joint Stock Company for the construction of a Harbour at the mouth of Stoncy Creek, on Lake Ontario," was read ; and it was, Stoney Creek Harbor's construction bill, read first time.

Ordered, that the same be read a second time tomorrow.

The bill entitled, "An Act for the more equal distribution of the property of persons dying intestate," was read ; and it was, Intestate distribution bill, read first time.

Ordered, that the same be read a second time on Thursday next, and that in the mean time it be printed for the use of Members. And ordered to be printed.

The bill entitled, "An Act to incorporate a Joint Stock Company for the manufacture of Salt in the Township of Saltfleet, in the Gore District," was read ; and it was, Saltfleet Salt Company's incorporation bill, read first time.

Ordered, that the same be read a second time tomorrow.

The bill entitled, "An Act to incorporate certain persons therein mentioned under the style and title of the President, Directors and Company, of the Grimsby Breakwater, Pier and Harbour Company," was read ; and it was, Grimsby Harbor Company's incorporation bill read first time.

Ordered, that the same be read a second time tomorrow.

The bill entitled, "An Act to reduce to one Act of Parliament the several laws relative to the appointment and duties of Township Officers in this Province," was read ; and it was, Township Officers appointment bill, Read first time.

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and ordered to be printed.

Ordered, that the same be read a second time on Friday next, and that in the mean time it be printed for the use of Members.

Quarter Sessions jurisdiction extension bill, brought in.

Pursuant to notice, His Honor the Speaker brought in a bill to extend the jurisdiction of the Courts of general Quarter Sessions of the Peace in this Province in cases of Larceny.

Read first time.

The said bill was read; and it was,

Ordered, that the same be read a second time tomorrow.

Notice of bringing in Clerk of the Crown's relief bill.

His Honor the Speaker gave notice that he would, on tomorrow, bring in a bill for the relief of the Clerk of the Crown and Pleas.

Petition of Ebenezer Perry and others, read.

Pursuant to the order of the day, the petition of Ebenezer Perry, and others, inhabitants of the Town of Cobourg, praying for an Act authorising the holders of Notes of Hand to join the drawers and endorsers thereof in one action, was read.

Petition of F. G. Millar and others, brought up.

The Honorable Mr. Crooks brought up the petition of F. G. Millar, and others, inhabitants of Garafraxa, &c., which was laid on the table.

House adjourns.

On motion made and seconded, the House adjourned.

TUESDAY, 10th MARCH, 1835.

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 Messrs.</i> CLARK,	" " ELMSLEY,
	" " ALLAN,	" " BALDWIN,
	" " GORDON,	" " CROOKS,
	" " McDONELL,	

Prayers were read.

The Minutes of yesterday were read.

Parrot's Bay Bridge grant bill, read second time.

Pursuant to the order of the day, the bill entitled, "An Act to grant the sum of four hundred pounds for the construction of a Bridge at Parrot's Bay," was read a second time, and it was,

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

Loughborough's survey bill, read second time,

Pursuant to the order of the day, the bill entitled, "An Act to provide for a Survey in the Township of Loughborough," was read a second time, and it was,

and referred to a select committee.

Ordered, that it 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 Baldwin and Burnham do compose the same for that purpose.

Law suits prevention bill, read second time.

Pursuant to the order of the day, the bill entitled, "An Act to prevent the unnecessary multiplication of Lawsuits and increase of Costs in Actions on Notes, Bonds, Bills of Exchange, and other Instruments, 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.

Stoney Creek Harbour's construction bill, read second time.

Pursuant to the order of the day, the bill entitled, "An Act to incorporate a Joint Stock Company for the construction of a Harbour at the mouth of Stoney Creek, on Lake Ontario," was read a second time, and it was,

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

Saltfleet Salt Company's incorporation bill, read second time.

Pursuant to the order of the day, the bill entitled, "An Act to incorporate a Joint Stock Company for the manufacture of Salt, in the Township of Saltfleet, in the Gore District," was read a second time, and it was,

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

Grimsby Harbour Company's incorporation bill, read second time.

Pursuant to the order of the day, the bill entitled, "An Act to incorporate certain persons therein mentioned, under the style and title of the President, Directors, and Company of the Grimsby Breakwater Pier and Harbour Company," was read a second time, and it was,

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SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

- Ordered, that it 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 Messrs. Clark, Baldwin and Crooks, do compose the same for that purpose. Members composing same.
- Pursuant to the order of the day, the bill to extend the jurisdiction of the Courts of General Quarter Sessions of the Peace in this Province, in cases 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 tomorrow, to take the same into consideration.
- Pursuant to notice his Honor the Speaker brought in a bill to allow persons to be admitted Attornies upon service of five years, under articles in the office of Clerk of the Crown and Pleas. Clerk of the Crown's relief bill, brought in.
- The said bill was then read; and it was, Read first time.
- Ordered that the same be read a second time tomorrow.
- A Deputation from the Commons House of Assembly returned the bill entitled, "An Act to establish a Standard Weight for the different kinds of Grain and Pulse in this Province;" and acquainted this House that the Assembly had made certain amendments to the amendments of the Legislative Council in and to the said bill, to which they requested the concurrence of this House. The same Deputation brought up a bill entitled, "An Act to erect the County of Hastings into a separate District," to which they requested the concurrence of this House, and then withdrew. Amendments to grain standard weight bill amended by the Assembly.
Hasting's division bill brought up from the Assembly.
- The amendments of the Commons House of Assembly to the amendments of the Legislative Council, made in and to the bill entitled, "An Act to establish a Standard Weight for the different kinds of Grain and Pulse in this Province," were then read as follows:
- Amendments made by the Commons House of Assembly in and to the amendments made by the Honorable the Legislative Council, in and to the bill sent up from the Commons House of Assembly, entitled, "An Act to establish a Standard Weight for the different kinds of Grain and Pulse in this Province." Amendments to the amendments to grain standard weight bill read first time.
- Line 4 from the top.—Expunge the words, "Press 1, line 20.—Expunge the remainder of the bill and insert" and insert, "after the last clause of the bill add." The amendments.
- Ordered, that the above amendments of the Assembly be read a second time tomorrow.
- The bill entitled, "An Act to erect the County of Hastings into a separate District," was read, and it was, Hasting's division bill, read first time.
- Ordered, that the same be read a second time tomorrow.
- The Honorable Mr. Crooks brought up the petition of Eliakim Malcolm, and others, inhabitants of certain Townships in the Districts of London, Niagara and Gore, which was laid on the table. Petition of Eliakim Malcolm, and others, brought up.
- On motion made and seconded, the House adjourned. House adjourns.

WEDNESDAY, 11th MARCH, 1835.

The House met pursuant to adjournment. House meets.

PRESENT:

<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> BURNHAM,	Members present.
<i>The Honorable Messrs.</i> CLARK,	" " ELMSLEY,	
" " CROOKSHANK,	" " BALDWIN,	
" " GORDON,	" " CROOKS,	
" " McDONELL,		

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 grant the sum of four hundred pounds for the construction of a Bridge at Parrot's Bay." Parrot's Bay Bridge grant bill, committed.

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The Honorable Mr. Clark 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 on Wednesday next.

Leave granted.

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

A Member enters.

The Honorable Mr. Adamson enters.

Stoney Creek Har-
bour's construction
bill discharged from
the order of the day.

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 construction of a Harbour at the mouth of Stoney Creek, on Lake Ontario," it was,

And referred to the
Select Committee on
Grimsby Harbour
Company's incorpora-
tion bill.

Ordered to be discharged, and that the same be referred to the Select Committee upon the bill entitled, "An Act to incorporate certain persons therein mentioned, under the style and title of the President, Directors, and Company of the Grimsby Breakwater Pier and Harbour Company," with power to send for persons and papers and to report thereon by amendment or otherwise.

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 extend the jurisdiction of the Courts of general Quarter Sessions of the Peace in this Province, in cases 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 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.

Clerk of the Crown's
relief bill, read second
time.

Pursuant to the order of the day, the bill to allow persons to be admitted Attornies upon a service of five years, under articles in the office of Clerk of the Crown and Pleas, was read a second time, and it was,

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

Amendments to the
amendments to grain
standard weight bill
read second time.

Pursuant to the order of the day, the amendments of the Commons House of Assembly to the amendments made by the Legislative Council, in and to the bill sent up from the Assembly, entitled, "An Act to establish a Standard Weight for the different kinds of Grain and Pulse in this Province," were read a second time, and it was,

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

Hasting's division
bill, read second time.

Pursuant to the order of the day, the bill entitled, "An Act to erect the County of Hastings into a separate District," was read a second time.

Petition of F. G.
Millar, and others,
read.

Pursuant to the order of the day, the Petition of F. G. Millar and others, inhabitants of Garafraxa, &c., praying for an Act granting the sum of one hundred pounds, for the purpose of erecting a Bridge over a certain water in the Township of Woolwich, was read.

Petition of John D.
Smith, and others,
brought up.

The Honorable Mr. Burnham brought up the petition of John D. Smith, and others, inhabitants of the Town of Port Hope, and its vicinity, which was laid on the table.

Report of the Select
Committee upon
Spalding and others
naturalization bill,
presented.

The Honorable Mr. Clark, from the Select Committee to whom was referred the bill entitled, "An Act to naturalize certain persons therein named," presented their report.

Ordered, that it be received; and,

Read.

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

The report

The Committee to whom was referred the bill entitled, "An Act to naturalize certain persons therein named," beg leave to report, that they have carefully examined the bill, and into the characters and claims of these persons, which being satisfactory, your Committee therefore recommend the bill to the adoption of your Honorable House, with the following amendments, which are—

Press 1, line 5.—Expunge the words "just and."

" " 24.—After the word "Province" insert, "without being absent therefrom more than two months at any time during the said seven years."

Your Committee have, however, to remark, that a bill of the same nature passed both Houses of the Legislature at its two last Sessions, both of which bills were reserved by His

Thursday, 12th March, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

Excellency the Lieutenant Governor, for His Majesty's pleasure thereon, which pleasure has not been signified.

(Signed)

THOMAS CLARK,
CHAIRMAN.

*Committee Room of the Legislative Council,
March, 11th, 1835.*

Ordered, that the last mentioned bill and the report of the Select Committee thereon, be committed to a Committee of the whole House tomorrow.

On motion made and seconded the House adjourned.

House adjourns.

THURSDAY, 12th MARCH, 1835.

The House met pursuant to adjournment.

House meets,

PRESENT :

<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> McDONELL,	
<i>The Honorable Messrs.</i> CLARK,	" "	BURNHAM,
<i>The Hon. & Ven. The</i> ARCHDEACON OF YORK,	" "	ELMSLEY,
<i>The Honorable Messrs.</i> ALLAN,	" "	BALDWIN,
" " GORDON,	" "	ADAMSON,

Members present.

Prayers were read.

The Minutes of yesterday were read.

Pursuant to the order of the day, the bill to extend the Jurisdiction of the Courts of General Quarter Sessions of the Peace in this Province, in cases of Larceny, was read a third time, and it was,

Quarter Sessions jurisdiction bill read third time, and

Ordered, that the House be again put into a Committee of the whole tomorrow to take the said bill into further consideration.

ordered to be recommitted.

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 manufacture of Salt, in the Township of Saltfleet, in the Gore District."

Saltfleet Salt Company's incorporation 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 into consideration, had made some progress therein, and asked leave to sit again tomorrow.

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 allow persons to be admitted Attornies upon a service of five years, under Articles in the office of Clerk of the Crown and Pleas.

Clerk of the Crown's relief bill committed.

The Honorable Mr. Gordon 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 House was put into a Committee of the whole upon the amendment of the Assembly made to the amendments of the Legislative Council, in and to the bill entitled, "An Act to establish a Standard Weight for the different kinds of Grain and Pulse in this Province."

Amendment to the amendments to grain standard weight bill committed.

The Honorable Mr. Gordon took the Chair.

After some time the House resumed.

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

Reported.

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 amendment made to the amendments of the Legislative Council in and to the last mentioned bill; and,

And a conference ordered.

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Conferrees appointed.

Ordered, that the Honorable Messieurs Baldwin and Elmsley, 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 requests a conference with the Commons House of Assembly, on the subject matter of the amendment made to the amendments of the Legislative Council in and to the bill entitled, "An Act to establish a Standard Weight for the different kinds of Grain and Pulse in this Province;" and has appointed the Honorable Messieurs Baldwin and Elmsley, to be the Conferrees on the part of the Legislative Council, who will be ready to meet a Committee on the part of the Commons House of Assembly, tomorrow, at the hour of two of the clock, P. M., in the Committee Room of the Legislative Council, for that purpose.

Spalding and others naturalization bill, and the report thereon, 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 naturalize certain persons therein named," and the report of the Select Committee thereon.

The Honorable Mr. Clark took the Chair.

After some time the House resumed.

Reported ;

The Chairman reported that the Committee had taken the said bill and report of the Select Committee into consideration, and recommended that the bill be again referred to the Select Committee to report further thereon.

Ordered, that the report be received ; and

And referred back to the Select Committee.

Ordered, that the last mentioned bill be again referred to the Select Committee to report further thereon.

Intestate distribution bill, read second time.

Pursuant to the order of the day, the bill entitled, "An Act for the more equal distribution of the property of persons dying intestate," was read a second time ; and it was,

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

Petition of Eliakim Malcolm, and others read.

Pursuant to the order of the day, the petition of Eliakim Malcolm, and others, inhabitants of certain Townships in the Districts of London, Niagara and 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, was read.

Petition of James W. O. Clark, and others, brought up.

The Honorable Mr. Clark brought up the petition of James W. O. Clark, and others, of the Township of Louth, in the District of Niagara, which was laid on the table.

Second report of the Select Committee upon Spalding and others naturalization bill, presented.

The Honorable Mr. Clark, from the Select Committee to whom was again referred the bill, entitled, "An Act to naturalize certain persons therein named," presented their further 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 again referred the bill sent up from the Commons House of Assembly, entitled, "An Act to naturalize certain persons therein named," beg leave further to report,

That Your Committee having reconsidered the said bill recommend the same, with the following amendment, (along with those mentioned in their first report) to the adoption of your Honorable House, viz.:

Expunge "Frederick Allen Spalding," occurring throughout the bill.

(Signed)

THOMAS CLARK,
CHAIRMAN.

*Legislative Council Committee Room,
12th day of March, 1835.*

Ordered, that the last mentioned bill and the second report of the Select Committee thereon, be referred to a Committee of the whole House tomorrow.

Report of the Select Committee upon, Grimsby Harbor Company's incorporation bill ; And Stoney Creek Harbor's construction bill, presented.

The Honorable Mr. Clark, from the Select Committee to whom was referred the bill entitled, "An Act to incorporate certain persons therein mentioned, under the style and title of the President, Directors and Company, of the Grimsby Breakwater Pier and Harbour Company;" and also the bill entitled, "An Act to incorporate a Joint Stock Company for the

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SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

construction of a Harbour at the mouth of Stoney Creek, on Lake Ontario," 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 incorporate certain persons therein mentioned, under the style and title of the President, Directors and Company of the Grimsby Breakwater Pier and Harbour Company;" and also the bill entitled, "An Act to incorporate a Joint Stock Company for the construction of a Harbour at the mouth of Stoney Creek, on Lake Ontario," beg leave to report,

That your Committee have carefully examined the several provisions contained in each of the said bills, and recommend the same without any amendment to the adoption of your Honorable House.

All which is respectfully submitted.

Legislative Council Committee Room,
12th day of March, 1835.

Ordered, that the House be put into a Committee of the whole tomorrow, upon the bill entitled, "An Act to incorporate certain persons therein mentioned, under the style and title of the President, Directors and Company, of the Grimsby Breakwater Pier and Harbour Company," and the report of the Select Committee thereon.

Ordered, that the House be put into a Committee of the whole tomorrow, upon the bill entitled, "An Act to incorporate a Joint Stock Company for the construction of a Harbour at the mouth of Stoney Creek, on Lake Ontario," and the report of the Select Committee thereon.

On motion made and seconded, the House adjourned.

FRIDAY, 13th MARCH, 1835.

The House met pursuant to adjournment.

PRESENT :

<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER,	<i>The Honorable Messrs.</i> BURNHAM,
<i>The Honorable Messrs.</i> CLARK,	" " ELMSLEY,
" " CROOKSHANK,	" " BALDWIN,
" " ALLAN,	" " ADAMSON,
" " GORDON,	" " CROOKS,
" " McDONELL,	

Prayers were read.

The Minutes of yesterday were read.

Pursuant to the order of the day, the bill to allow persons to be admitted Attornies upon a service of five years, under Articles in the office of Clerk of the Crown and Pleas, was read a third time and passed; and it was,

Ordered, that the title be, "An Act to allow persons to be admitted Attornies upon a service of five years, under Articles in the office of Clerk of the Crown and Pleas."

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 House was again put into a Committee of the whole upon the bill to extend the Jurisdiction of the Courts of General Quarter Sessions of the Peace in this Province, in cases of Larceny.

The Honorable Mr. Crookshank 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 and delivered at the Bar of this House, a Message in the following words, and then withdrew.

MR. SPEAKER,

The Commons House of Assembly accedes to the the request of the Honorable the Legislative Council, for a conference on the amendments made by this House in and to the

Read.

The Report.

House adjourns.

House meets,

Members present.

Clerk of the Crown's relief bill, read third time and passed.

Title ordered.

Bill signed;

And sent to the Assembly for concurrence.

Quarter Sessions jurisdiction extension bill, re-committed.

Message from the Assembly.

Acceding to a conference upon the amendment to the amendments to grain standard weight bill.

Friday, 13th March, 1835.

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amendments made by the Honorable the Legislative Council, in and to the bill entitled, "An Act to establish a Standard Weight for the different kinds of Grain and Pulse in this Province;" and has appointed a Committee of four of its Members who will be ready to meet the Conferrees on the part of the Honorable the Legislative Council, at the time and place appointed.

(Signed)

MARSHALL S. BIDWELL,

SPEAKER.

*Commons House of Assembly,
12th day of March, 1835.*

Quarter Sessions
jurisdiction bill
re-committed.

The House was then again put into a Committee of the whole upon the bill to extend the Jurisdiction of the Courts of General Quarter Sessions of the Peace in this Province, in cases of Larceny.

The Honorable Mr. Crookshank 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 further progress therein, and asked leave to sit again on Monday next.

Leave granted.

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

Instructions to the
Conferrees upon the
amendment to the
amendments to grain
standard weight bill.

Ordered, that the Committee of conference on the part of this House, upon the subject matter of the amendment made by the Commons House of Assembly in and to the amendments of the Legislative Council, made in and to the bill entitled, "An Act to establish a Standard Weight for the different kinds of Grain and Pulse in this Province," be instructed to represent, that the amendments made by the Legislative Council were made under the impression, that there could be no occasion for the imposition of any penalty in a measure of this description, the object being, merely, to establish by Legislative authority, a certain declared Standard of Weight for the different descriptions of Grain, which Standard should be decisive and binding where the parties had made no agreement to buy and sell by measure, or according to any other specified weight.

The Legislative Council sees no reason for restraining parties from agreeing to buy and sell grain by measure, or according to any number of pounds, differing from that mentioned in this Act. It appears not impossible, that individuals having reference to what is the ordinary weight, in this Country, of a bushel of any of the kinds of Grain mentioned in the Act, or desiring to make contracts in conformity to the prescribed weight in other Countries where the Grain is to be delivered, and which may vary from the standard adopted in this Act, may desire in their particular dealings to fix upon some other weight than is here mentioned: and it does not appear to the Legislative Council that they need be prohibited from agreeing in that respect as they think proper.—There is no room in such a transaction for apprehending any injury to others, as the bushels of Grain, however regulated, are not kept separate; and wherever the Grain may go it will of course be again measured or weighed, and estimated according to the standard of the Country. It is only in those cases where the object is to guard against fraud in buying or selling by a false weight or measure, that a penalty seems to the Legislative Council to be necessary. And the Legislative Council beg further to remark, that the bill with the amendments as it now stands will be inconsistent, and may be injurious, by leading persons to suppose from one part of the bill that they may adopt such weight as they may agree, whereas by another part of the bill any person will be made liable to a penalty who receives a greater number of pounds for the bushel than is mentioned in the Act.

If the bill should pass without the clauses relating to penalties it will then merely have the effect of declaring a certain standard, which shall regulate all contracts and sales of Grain where the parties merely use the term "bushel" without explanation, while it will leave it still open to them to make their agreements as they may prefer.

If the House of Assembly concur with the Legislative Council in thinking that this course is the most expedient, then the withdrawing of their amendments made to the amendments of the Legislative Council will leave the measure on that footing.

Their report

The Honorable Mr. Elmsley, from the Select Committee of conference just named, reported that the Honorable Mr. Baldwin and he had met the Conferrees of the Assembly at the time and place appointed, and delivered to them the instructions of this House.

Monday, 16th March, 1835.

FIRST SESSION TWELFTH PROVINCIAL PARLIAMENT, 5th WILLIAM IV.

Prayers were read.

The Minutes of Friday were read.

Clergy reserves sale
bill read second time;

Pursuant to the order of the day, the bill entitled, "An Act for the disposal of the Clergy Reserves in this Province, for the purposes of general Education," was read a second time, and it was,

And referred to a
Select Committee.

Ordered, that it 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 Mr. Clark, the Honorable and Venerable the Archdeacon of York, and the Honorable Messieurs Markland, Elmsley and Crooks, do compose the same for that purpose.

Law-suits 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 unnecessary multiplication of Lawsuits and increase of costs in actions on Notes, Bonds, Bills of Exchange and other instruments."

The Honorable Mr. Burnham took the Chair.

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

Messages from the
Lieutenant Governor.

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

J. COLBORNE,

Transmitting popu-
lation returns.

The Lieutenant Governor transmits to the Legislative Council the Population returns of the several Districts, for the year 1834.

Government House,

11th March, 1835.

J. COLBORNE,

Transmitting Assess-
ment returns.

The Lieutenant Governor transmits to the Legislative Council the Assessment returns of the several Districts, for the year 1834.

Government House,

11th March, 1835.

J. COLBORNE,

Transmitting pe-
titions from the
Indians of Lakes
Huron and Simcoe;
and of the Wyandots
of the River Canard.

The Lieutenant Governor transmits, for the consideration of the Legislative Council, the accompanying Petitions from the Indians of Lakes Huron and Simcoe, and of the Wyandots, of the River Canard.

Government House,

14th March, 1835.

J. COLBORNE,

Acquainting the
Council that His
Majesty has given
His assent to the bill
passed by the two
Houses in 1833, for
naturalizing certain
persons in this
Province.

The Lieutenant Governor acquaints the Legislative Council, that the bill entitled, "An Act to extend to certain persons the civil and political rights of Natural-born Subjects," passed in the Month of January, in 1833, by the Legislative Council and Assembly, and reserved for the signification of His Majesty's pleasure, in conformity with the King's instructions, and by the advice of the Law Officers of the Crown, has received His Majesty's Royal confirmation, and is accordingly finally enacted.

Government House,

11th March, 1835.

Address of thanks
ordered to be pre-
sented to His Excel-
lency for the above
Messages.

Ordered, that an address be presented to the Lieutenant Governor, respectfully thanking His Excellency for his several Messages just received, and assuring him that the Legislative Council will not fail to give the petitions of the Indians their most serious consideration, and,

Committee appointed
for that purpose.

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

Law-suits prevention
bill recommitted.

The House was then again put into a Committee of the whole upon the bill entitled, "An Act to prevent the unnecessary multiplication of Lawsuits and increase of Costs in Actions on Notes, Bonds, Bills of Exchange, and other Instruments."

The Honorable Mr. Burnham took the Chair.

After some time the House resumed.

Tuesday, 17th March, 1835.

SIR JOHN COLBORNE, K. C. B. *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 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 petition of James W. O. Clark, and others, inhabitants of the Township of Louth, in the District of Niagara, praying for an Act authorising that the County Town may be removed to a more central situation of the said District; also the petition of William Scollick, and others, inhabitants of certain Townships in the County of Halton, praying for an Act granting the sum of one hundred pounds, for the purpose of erecting a Bridge over a certain water in the Township of Woolwich; and also the petition of the Wyandot Indians, residing on the River Canard, in the Township of Malden, praying for an Act restraining all persons from selling or in any manner conveying any intoxicating liquor to them, were severally read.

Petitions of James W. O. Clark, and others;

Of William Scollick, and others;

And of the Wyandot Indians, read.

Pursuant to the order of the day, the House was again put into a Committee of the whole upon the bill to extend the jurisdiction of the Courts of general Quarter Sessions of the Peace in this Province, in cases of Larceny.

Quarter Sessions jurisdiction extension bill recommitted.

The Honorable Mr. Crookshank took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had gone through the 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 read a third time to-morrow.

Pursuant to the order of the day, the Honorable Mr. Clark, from the Committee of the whole upon the bill entitled, "An Act to naturalize certain persons therein named," presented the amendments made thereto, and,

Amendments to Spalding and others naturalization bill, presented.

They were then read by the Clerk as follows:—

Read first time,

Press 1, line 1.—After "whereas," leave out to "William" in line two.

" " 5.—Leave out "just and."

" lines 13 & 14.—Leave out "Frederick Allen Spalding, and."

The amendments.

" line 17.—Leave out "Frederick Allen Spalding."

" " 24.—Leave out "Frederick Allen Spalding."

" 2, " 4.—Leave out "Frederick Allen Spalding."

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 bill as amended read a third time to-morrow.

The Honorable Mr. Burnham brought up the petition of John Pearse, and others, contractors for improving the internal navigation of the Newcastle District; and also, the petition of James Calcutta, and others, inhabitants of Cobourg; which were laid on the table.

Petitions of John Pearse, and others; And of James Calcutta, and others, brought up.

On motion made and seconded, the House adjourned.

House adjourns.

TUESDAY, 17th MARCH, 1835.

The House met pursuant to adjournment.

House meets.

PRESENT:

<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> BURNHAM,
<i>The Honorable Messrs.</i> CLARK,	" " ELMSLEY,
" " CROOKSHANK,	" " BALDWIN,
" " ALLAN,	" " ADAMSON,
" " GORDON,	" " CROOKS,
" " McDONELL,	

Members present.

Prayers were read.

The Minutes of yesterday were read.

Pursuant to the order of the day, the bill to extend the jurisdiction of the Courts of General Quarter Sessions of the Peace in this Province, in cases of Larceny, was read a third time and passed, and it was,

Quarter Sessions jurisdiction extension bill read third time and passed.

Wednesday, 18th March, 1835.

FIRST SESSION TWELFTH PROVINCIAL PARLIAMENT, 5th WILLIAM IV.

Title ordered.	Ordered, that the title be, "An Act to abolish the distinction between Grand and Petit Larceny, and to enable 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 Law respecting the punishment of Larceny."
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.
Spalding 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 named," 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 amendments, to which they request the concurrence of the Commons House of Assembly.
Report of the Committee appointed to present an address of thanks to His Excellency.	The Honorable Mr. Crookshank, from the Select Committee appointed to present an address to the Lieutenant Governor, thanking His Excellency for his several messages of yesterday, reported the delivery thereof.
House adjourns.	On motion made and seconded, the House adjourned.

WEDNESDAY, 18th MARCH, 1835.

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 Messrs.</i> CLARK,	" " ELMSLEY,
	" " GORDON,	" " ADAMSON,
	" " McDONELL,	" " CROOKS,

Prayers were read.

The Minutes of yesterday were read.

Parrot's Bay Bridge grant bill, recommitted.

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 grant the sum of four hundred pounds for the construction of a Bridge at Parrots Bay."

The Honorable Mr. Clark took the Chair.

House resumes. After some time the House resumed.

Stoney Creek Harbour's construction bill, and the report thereon, recommitted.

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 for the construction of a Harbour at the mouth of Stoney Creek, on Lake Ontario," and the report of the Select Committee thereon.

The Honorable Mr. Gordon took the Chair.

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

Bills brought up from the Assembly.

Erie and Ontario Rail-road Company's incorporation bill passed by the Assembly.

Deputations from the Commons House of Assembly brought up several bills, to which they requested the concurrence of this House ; and returned the bill entitled, "An Act to incorporate certain persons therein mentioned, under the name and style of the Erie and Ontario Rail-road Company," and acquainted this House that they had passed the same without amendment.

Stoney Creek Harbour's construction bill, and the report thereon, recommitted.

The House was then again put into a Committee of the whole upon the bill entitled, "An Act to incorporate a Joint Stock Company for the construction of a Harbour at the mouth of Stoney Creek, on Lake Ontario," and the report of the Select Committee thereon.

The Honorable Mr. Gordon 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 tomorrow.

Thursday, 19th March, 1835.

FIRST SESSION TWELFTH PROVINCIAL PARLIAMENT, 5th WILLIAM IV.

Intestate distribution 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 the more equal distribution of the property of persons dying intestate."

The Honorable Mr. Allan 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.

Intestate distribution bill recommitted.

The House was then again put into a Committee of the whole upon the bill entitled "An Act for the more equal distribution of the property of persons dying intestate."

The Honorable Mr. Allan took the Chair.

House resumes.

After some time the House resumed.

Speaker reports the receipt of King's Township survey bill;

His Honor the Speaker reported to the House that a Deputation from the Commons House of Assembly had brought a bill entitled, "An Act to authorise a new Survey in the Township of King,"—and also a bill entitled, "An Act for altering and amending the charter of the President Directors and Company of the Commercial Bank of the Midland District, and for increasing the number of shares to be held in the Capital Stock of the said Company," to which they requested the concurrence of this House:

and Kingston Bank's Charter amendment 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 tomorrow.

A Member enters.

The Honorable Mr. Crookshank enters.

Township Officers 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 reduce to one Act of Parliament the several laws relative to the appointment and duties of Township Officers in this Province."

The Honorable Mr. Adamson took the Chair.

After some time the House resumed.

A resolution reported for referring the bill to a Select Committee.

The Chairman reported that the Committee had taken the said bill into consideration, and had agreed to a resolution which they recommended to the adoption of the House.

Ordered, that the report be received; and,

Read.

The Resolution was then read by the Clerk, as follows:

The resolution.

Resolved.—That it is the opinion of this Committee, that this bill be referred to a Select Committee to report thereon by amendment or otherwise; and that it be an instruction to the Select Committee to prepare amendments such as will separate from the bill all such enactments as relate to the power of imposing an additional assessment, by a vote to be taken at a Township Meeting, and to the application of such assessment.

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,

Members composing the Committee.

Ordered, that the Honorable Messieurs Burnham, Elmsley and Crooks, do compose the Committee for the above purpose.

Law-suits prevention 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 prevent the unnecessary multiplication of Lawsuits and increase of Costs in Actions on Notes, Bonds, Bills of Exchange, and other Instruments."

The Honorable Mr. Burnham 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 further progress therein, and asked leave to sit again on Monday next.

Leave granted.

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

Amendments to Stoney Creek Harbour's construction bill, presented.

Pursuant to the order of the day, the Honorable Mr. Gordon, from the Committee of the whole upon the bill entitled, "An Act to incorporate a Joint Stock Company for the construction of a Harbour at the mouth of Stoney Creek, on Lake Ontario," presented the amendments made thereto, and,

Read first time.

They were then read by the Clerk, as follows:

The amendments.

Press 2, line 7.—Expunge "Gore District," and insert "District of Gore."

" 4, " 1.—Expunge "Gore District," and insert "District of Gore."

" 5, " 16.—Expunge "Gore District," and insert "District of Gore."

" 7, " 8.—Expunge "Gore District," and insert "District of Gore."

Friday, 20th March, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

Press 10.—Add to the bill, “20. And be it further enacted by the authority aforesaid, that notwithstanding the privileges hereby conferred upon the said Company, the Legislature may at any time hereafter make such addition to this Act, or such alteration in any of its provisions as they may think proper, for affording just protection to the public, or to any person or persons, in respect to their estate or property or any interest therein, or advantage or privilege or convenience connected therewith, or in respect of any way or right of way along the said Lake, or elsewhere, or any right or privilege of fishing that may be affected by any of the powers given by this Act.”

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 same be engrossed, and the said bill as amended read a third time tomorrow.

Pursuant to the order of the day, the Honorable Mr. Elmsley, from the Committee of the whole upon the bill entitled, “An Act to incorporate certain persons therein mentioned, under the style and title of the President, Directors and Company of the Grimsby Breakwater Pier and Harbour Company,” presented the amendment made thereto; and, Amendment to Grimsby Harbour Company's incorporation bill presented.

It was then read by the Clerk, as follows:

Press. 10.—Add to the bill “20. And be it further enacted by the authority aforesaid, that notwithstanding the privileges hereby conferred upon the said Company, the Legislature may at any time hereafter make such addition to this Act, or such alteration in any of its provisions as they may think proper, for affording just protection to the public, or to any person or persons, in respect to their estate or property or any interest therein, or advantage or privilege or convenience connected therewith, or in respect of any way or right of way along the said Lake, or elsewhere, or any right or privilege of fishing that may be affected by any of the powers given by this Act.” Read first time.

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, The amendment.

Ordered, that it be engrossed, and the bill as amended read a third time tomorrow.

Pursuant to the order of the day, the bill entitled, “An Act to prevent the sale of Spiritous Liquors to Indians;” also the bill entitled, “An Act to continue and amend an Act passed in the second year of His Majesty's reign, entitled, ‘An Act for incorporating a Joint Stock Company under the style and title of the President, Directors and Company of the Port Dover Harbour;” also the bill entitled, “An Act to authorise the levying an increased tax on the inhabitants of the District of Prince Edward, for the term of three years;” and also the bill entitled, “An Act to repeal the several Laws now in force imposing fines on Quakers, Menonists and Tunkers, for non-performance of Militia duty, in time of peace,” were severally read a second time, and it was, Indians relief bill; Port Dover Harbor amendment bill; District of Prince Edward's increased tax bill; and Quaker's fine repeal bill read second time.

Ordered, that the House be put into Committees of the whole tomorrow, to take each of the said bills into consideration.

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

FRIDAY, 20th MARCH, 1835.

The House met pursuant to adjournment. House meets.

PRESENT :

<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER,	<i>The Honorable Messrs.</i> BURNHAM,	
<i>The Honorable Messrs.</i> ALLAN,	“ “ BALDWIN,	Members present.
“ “ GORDON,	“ “ ADAMSON,	
“ “ McDONELL,		

Prayers were read.

The Minutes of yesterday were read.

Friday, 20th March, 1835.

FIRST SESSION TWELFTH PROVINCIAL PARLIAMENT, 5th WILLIAM IV.

Stoney Creek Harbor's construction bill, as amended, read third time and passed.

Pursuant to the order of the day, the bill entitled, "An Act to incorporate a Joint Stock Company for the construction of a Harbour at the mouth of Stoney Creek, on Lake Ontario," 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 amendments, to which they desire the concurrence of the Commons House of Assembly.

Grimsby Harbor 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 certain persons therein mentioned, under the style and title of the President, Directors and Company, of Grimsby Breakwater Pier and Harbour 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 have passed this bill with an amendment, to which they desire the concurrence of the Commons House of Assembly.

A Member enters.

The Honorable Mr. Crookshank enters.

Indians' relief 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 sale of Spirituous Liquors to Indians."

The Honorable Mr. Allan 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 on Monday next.

Port Dover Harbor 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 continue and amend an Act passed in the second year of His Majesty's reign, entitled, 'An Act for incorporating a Joint Stock Company under the style and title of the President, Directors and Company of the Port Dover Harbour.'

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 on Monday next.

Members enter.

The Honorable Mr. Clark, the Honorable and Venerable the Archdeacon of York, and the Honorable Messieurs Markland, Elmsley and Crooks, enter.

Report of the Select Committee upon Clergy reserves sale bill, presented.

The Honorable Mr. Markland, from the Select Committee to whom was referred the bill entitled "An Act for the disposal of the Clergy Reserves in this Province for the purposes of general education," 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 report upon the bill entitled, "An Act for the disposal of the Clergy Reserves in this Province, for the purposes of General Education," have taken the same into consideration, and concur in not recommending it to your Honorable House, but have agreed upon certain resolutions which they beg leave to offer for its adoption.

The Report.

Resolved.—That His late Majesty, King George the Third, having been graciously pleased, by message to both Houses of Parliament, to express his Royal desire to be enabled to make a permanent appropriation of Lands in this Province, for the support and maintenance of a Protestant Clergy within the same, provision was made for that purpose by Parliament in the Statute passed in the 31st year of His Majesty's reign, Chap. 31st, by directing a reservation of Lands to be made and set apart in the proportion of all the Lands that should be granted by His Majesty in the said Province, and by declaring that all and every the rents,

Friday, 20th March, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

profits or emoluments, which might at any time arise from such lands so allotted and appropriated as aforesaid, should be applied solely to the maintenance and support of a Protestant Clergy within the Province, and to no other use or purpose whatever.

Resolved.—That such allotments and appropriations as the Act directs, having been made from time to time, and continuing to be set apart under the designation of Clergy Reserves, a claim was advanced in the year 1821, on behalf of the Church of Scotland, to be allowed to share in those Reserves, or in the rents, profits or emoluments to be derived from them, which claim was made and has been urged upon the footing of a legal claim, grounded on the construction of the Statute, and on the rights of the Church of Scotland, as a Church established in one part of the United Kingdom.

Resolved.—That it has been advanced by other portions of the people of this Province, that all Protestant denominations have a right in common with the Church of England to have their Clergy supported from the Reserves in question, and that no exclusive right can be vindicated under the Act in favor of any one or more Protestant Churches.

Resolved.—That efforts have also been made to procure a total abolition of this provision for the support of Religion, by obtaining an Act of the Provincial Legislature, directing the sale of the Reserves, and the appropriation of the proceeds to the purposes of general Education.

Resolved.—That by these conflicting claims and opposing views, in regard to a subject of so great interest and importance, the minds of His Majesty's Subjects in this Province have for a long period been rendered anxious and unsettled, and in the opinion of the Legislative Council, it is for many reasons much to be desired that a speedy and final settlement should take place of the questions which have arisen upon the effect of the enactments referred to, and that it should be plainly, certainly and firmly established to what specific objects the Clergy Reserves shall be permanently applied.

Resolved.—That the Legislative Council confiding in the wisdom and justice of His Majesty and the Imperial Parliament, think it expedient and proper humbly to address His Majesty and both Houses of Parliament, representing that the Legislature of this Province has been unable to concur in any measure respecting the Clergy Reserves; and earnestly requesting that the Imperial Parliament will, with as little delay as possible, make such an enactment on the subject as cannot appear to leave any room for doubt or question in regard to the objects to which the proceeds of the Clergy Reserves are to be applied, and that having regard to the present condition and future welfare of this Colony, and maturely considering whatever has been urged or may be urged in regard to these Reserves, they will by some measure which shall be final and unequivocal, make such an appropriation of them as shall appear to be most consistent with a due regard to Religion, to the principles of our Constitution, and to the permanent welfare and tranquillity of the Province.

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; and,

Ordered, that the Members in Town be summoned to attend in their places on that 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 authorise the levying an increased tax on the inhabitants of the District of Prince Edward, for the term of three years."

District of Prince Edward's increased tax 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 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.

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 the several Laws now in force imposing fines on Quakers, Menonists and Tunkers, for non-performance of Militia duty, in time of peace."

Quaker's fine repeal bill committed.

The Honorable Mr. Crooks took the Chair.

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

Friday, 20th March, 1835.

FIRST SESSION TWELFTH PROVINCIAL PARLIAMENT, 5th WILLIAM IV.

Messages from His Excellency the Lieutenant Governor.

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

J. COLBORNE,

Transmitting certain statements on the subject of damages sustained by the operations of the Welland Canal Company.

The Lieutenant Governor transmits, for the consideration of the Legislative Council, the accompanying Statements respecting the difficulty of settling the claims of persons who have sustained damages by the operations of the Welland Canal Company.

Government House,
20th March, 1835.

J. COLBORNE,

Transmitting a report from the Trustees of certain roads therein mentioned.

The Lieutenant Governor transmits to the Legislative Council the accompanying report, from the Trustees appointed by the Act 3d William 4th, Chap. 38, to raise a sum of money to improve certain roads in the vicinity of the Town of York.

Government House,
18th March, 1835.

J. COLBORNE,

On the subject of an address of this House relative to the naturalization of Foreigners in this Province.

The Lieutenant Governor acquaints the Legislative Council that he is instructed by the Secretary of State to assure the Legislative Council, that he has had under his attentive consideration the Address from the Council on the Naturalization of Foreigners in this Province, but that His Majesty's Government is not, however, prepared at the present moment to point out any particular conditions as the most eligible on which Foreigners, who may hereafter resort to the Province, or who have recently settled therein, should be admitted to the rights of natural born Subjects ; nor is it deemed advisable to recommend the repeal of the existing Imperial Statutes which relate to this matter. That under these circumstances the Secretary of State observes, that it is satisfactory to him to perceive that the Provincial bills which have heretofore been passed on the subject have been such as to admit of the confirmation of His Majesty in Council ; and he should deem it unreasonable to doubt that in any future measures of a similar kind the Legislature will exercise a discretion that will merit the same result.

Government House,
20th March, 1835.

J. COLBORNE,

Transmitting a Statement respecting the expediency of amending the clause in the Welland Canal Act, for the erection of bridges across the Canal.

The Lieutenant Governor transmits to the Legislative Council the accompanying statement, respecting the expediency of amending the clause in the Welland Canal Act for the erection of Bridges across the Canal.

Government House,
20th March, 1835.

Quakers' fine repeal bill, recommitted.

The House was then again put into a Committee of the whole upon the bill entitled, "An Act to repeal the several laws now in force imposing fines on Quakers, Menonists and Tunkers, for non-performance of Militia duty, in time of Peace."

The Honorable Mr. Crooks 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 in three months.

Leave granted.

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

Address of thanks ordered to be presented for His Excellency's Messages of today.

Ordered, that an address be presented to the Lieutenant Governor, respectfully thanking His Excellency for his several Messages just received, communicating a Despatch from the Secretary of State in reference to the Naturalization of Foreigners in this Province ; transmitting a report from the Trustees of certain roads therein mentioned ; also statements on the subject of the Welland Canal ; and,

Committee appointed therefor.

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

Monday, 23rd March, 1835.

FIRST SESSION TWELFTH PROVINCIAL PARLIAMENT, 5th WILLIAM IV.

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. The same Deputation brought up, and delivered at the Bar of this House, a Message in the following words, and then withdrew.

And a message,

MR. SPEAKER,

Receding from their amendments made to the amendments of the Council to grain standard weight bill.

The House of Assembly does not insist on its amendments made to the amendments of the Honorable the Legislative Council in and to the bill entitled, "An Act to establish a Standard Weight for the different kinds of Grain and Pulse in this Province."

(Signed)

MARSHALL S. BIDWELL,

SPEAKER.

*Commons House of Assembly,
20th day of March, 1835.*

Law-suits prevention bill recommitted.

The House was then again put into a Committee of the whole upon the bill entitled "An Act to prevent the unnecessary multiplication of Lawsuits and increase of costs in actions on Notes, Bonds, Bills of Exchange and other Instruments."

The Honorable Mr. Burnham 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 further progress therein, and asked leave to sit again on Wednesday next.

Leave granted.

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

Messages from His Excellency the Lieutenant Governor.

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

J. COLBORNE,

Transmitting a representation of the Magistrates of the District of Niagara.

The Lieutenant Governor transmits to the Legislative Council, the accompanying representation of the Magistrates of the Niagara District in General Quarter Sessions assembled.

*Government House,
23rd March, 1835.*

J. COLBORNE,

Transmitting the copy of a petition from the inhabitants of the Township of Willoughby, in the District of Niagara.

The Lieutenant Governor transmits to the Legislative Council the accompanying copy of a petition from sundry inhabitants of the Township of Willoughby, in the District of Niagara.

*Government House,
23rd March, 1835.*

J. COLBORNE,

Transmitting a Memorial from Mr. Burwell.

The Lieutenant Governor transmits to the Legislative Council the accompanying copy of a Memorial from Mr. Burwell.

*Government House,
23rd March, 1835.*

J. COLBORNE,

Transmitting the report of the Long Point Isthmus Pier construction Commissioners.

The Lieutenant Governor transmits to the Legislative Council the report of the Commissioners appointed to superintend the construction of Piers at the Isthmus of Long Point.

*Government House,
23rd March, 1835.*

J. COLBORNE,

Transmitting the report of the Commissioners of the Burlington Bay Canal.

The Lieutenant Governor transmits to the Legislative Council the report of the Commissioners of the Burlington Bay Canal.

*Government House,
23rd March, 1835.*

Monday, 23rd March, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

J. COLBORNE,

The Lieutenant Governor transmits to the Legislative Council the report of the Commissioners appointed to settle the affairs of the late Bank at Kingston.

Transmitting the report of the Commissioners of the late Kingston Bank.

Government House,
23rd March, 1835.

J. COLBORNE,

The Lieutenant Governor transmits to the Legislative Council, such reports of District and Common Schools as have been received since last Session.

Transmitting the reports of District and Common Schools.

Government House,
23rd March, 1835.

J. COLBORNE,

The Lieutenant Governor transmits, for the favorable consideration of the Legislative Council, the accompanying petition from the Committee of management of the Kingston Mechanics' Institution.

Transmitting a petition from the Committee of management of the Kingston Mechanics Institute.

Government House,
23rd March, 1835.

Ordered, that an address be presented to the Lieutenant Governor, respectfully thanking His Excellency for his several Messages just received, transmitting a representation of the Magistrates of the Niagara District; the copy of a petition from sundry inhabitants of the Township of Willoughby, in the District of Niagara; the copy of a memorial from Mr. Burwell; the reports of the Commissioners appointed to superintend the construction of Piers at the Isthmus of Long Point; also of the Commissioners of the Burlington Bay Canal; also of the Commissioners appointed to settle the affairs of the late Bank at Kingston; also reports of District and Common Schools; and the petition from the Committee of Management of the Kingston Mechanics Institution; and assuring His Excellency that this House will not fail to give the latter their most serious consideration; and,

An address ordered to be presented to His Excellency, for the above Messages.

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

Committee appointed therefor.

His Honor 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 and Directors of the Upper Canada Life Insurance and Trust Company;" also a bill entitled, "An Act to incorporate sundry persons under the style and title of the Hamilton and Port Dover Rail-road 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 Niagara District;" also a bill entitled, "An Act to abolish imprisonment for Debt in certain cases, within this Province;" and also a bill entitled, "An Act for incorporating certain persons therein named, and their associates, under the style and title of the Cayuga Glass Manufacturing Company," to which they requested the concurrence of this House.

Speaker reports the receipt of U. C. Life Insurance corporation bill from the Assembly; also,

Hamilton and Port Dover Rail-road bill; Niagara Bank Corporation bill;

Imprisonment for debt abolition bill, and

Cayuga Glass Company's Corporation bill.

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

The bills read first time.

Ordered, that the bill entitled, "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," be read a second time on Monday next, and that in the mean time it be printed for the use of Members.

U. C. Life Insurance Corporation bill ordered to be printed.

Ordered, that the bill entitled, "An Act to incorporate sundry persons under the style and title of the Hamilton and Port Dover Rail-road Company;" 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 Niagara District;" also the bill entitled, "An Act to abolish imprisonment for Debt in certain cases, within this Province;" and also the bill entitled, "An Act for incorporating certain persons therein named, and their associates, under the style and title of the Cayuga Glass Manufacturing Company," be respectively read a second time tomorrow.

Pursuant to the order of the day, the House was put into a Committee of the whole upon the bill to confirm British Subjects in their titles to Real Estates derived through Aliens.

Aliens Estate bill committed.

The Honorable Mr. Hamilton took the Chair.

Tuesday, 24th March, 1835.

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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 Wednesday next.

Leave granted.

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

Kingston Bank's
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 for altering and amending the Charter of the President, Directors and Company, of the Commercial Bank of the Midland District, and for increasing the number of Shares to be held in the Capital Stock of the said Company."

The Honorable Mr. Elmsley 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 tomorrow.

Leave granted.

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

Saltfleet Salt Com-
pany's incorporation
bill, recommitted.

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 for the manufacture of Salt, in the Township of Saltfleet, in the Gore District."

The Honorable Mr. Allan 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 further progress therein, and asked leave to sit again on Friday next.

Leave granted.

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

Amendments to
Indians' relief 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 prevent the sale of Spirituous Liquors to Indians," presented the amendments made thereto; and,

Read first time,

The same were then read by the Clerk, as follows:

The amendments.

Line 13.—After "the" insert "fifth day of January next, after the."

" 14.—After "child" insert "within this Province."

" 23.—After "committed" insert, "Provided always, that the penalty in this Act mentioned shall not be incurred by the furnishing to any Indian any Spirituous Liquor by a Medical Man, in case of sickness, or under the direction of any Medical man."

"And be it further enacted by the authority aforesaid, that this Act shall be in force for four years, and from thence to the end of the then next ensuing Session of Parliament."

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 tomorrow.

Petitions of Thomas
Campbell, and others;

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

Of James Boulton,
and others;
Of Daniel Griffin,
and others;
And of James Calcutt,
and others,
brought up.

The Honorable Mr. Hamilton brought up the petition of James Boulton, and others, inhabitants of the District of Niagara; also the petition of Daniel Griffin, and others, inhabitants of the Home District; and also the petition of James Calcutt, and others, inhabitants of the District of Newcastle; which were laid on the table.

House adjourns.

On motion made and seconded the House adjourned.

TUESDAY, 24th MARCH, 1835.

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 Messrs.</i> CLARK,	" " ELMSLEY,
" " CROOKSHANK,	" " BALDWIN,
<i>The Hon. & Ven. The</i> ARCHDEACON OF YORK,	" " HAMILTON,
<i>The Honorable Mr.</i> McDONELL,	

Prayers were read.

Tuesday, 24th March, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

The Minutes of yesterday were read.

Pursuant to the order of the day, the bill entitled, "An Act to prevent the sale of Spirituous Liquors to Indians," was, as amended, read a third time; and,

Indians' relief 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 have passed this bill with amendments, to which they desire the concurrence of the Commons House of Assembly.

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 again put into a Committee of the whole upon the bill entitled, "An Act for altering and amending the Charter of the President, Directors and Company, of the Commercial Bank of the Midland District, and for increasing the number of Shares to be held in the Capital Stock of the said Company."

Kingston Bank's Charter amendment 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 further consideration, 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 in the opinion of this Committee, the bill be referred to a Select Committee, with instructions to frame amendments to give a similar increase of Capital to the Bank of Upper Canada.

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.

Ordered, that the bill be referred to a Select Committee, with instructions to frame amendments to give a similar increase of Capital to the Bank of Upper Canada; and,

Bill referred to a Select Committee.

Ordered, that the Honorable Messrs. Clark, Crookshank and Elmsley, do compose the Committee for that purpose.

Members composing same.

Pursuant to the order of the day, the bill entitled, "An Act to incorporate sundry persons under the style and title of the Hamilton and Port Dover Rail-road Company," was read a second time; and it was,

Hamilton and Port Dover Rail-road bill, read second time.

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

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 Niagara District," was read a second time; and it was,

Niagara Bank Corporation bill, read second time.

Moved and seconded, that it be referred to a Committee of the whole House tomorrow, which was lost.

Motion for referring same to a Committee of the whole, lost.

Pursuant to the order of the day, the bill entitled, "An Act to abolish imprisonment for debt in certain cases within this Province," was read a second time; and it was,

Imprisonment for debt abolition bill, read second time.

Ordered, that the House be put into a Committee of the whole on Friday next, to take the same into consideration; and that in the mean time it be printed for the use of Members.

Pursuant to the order of the day, the bill entitled, "An Act for incorporating certain persons therein named, and their associates, under the style and title of the Cayuga Glass Manufacturing Company," was read a second time; and it was,

Cayuga Glass Company's Corporation bill, read second time.

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

The Honorable Mr. Baldwin gave notice that he would, tomorrow, move that the bill entitled, "An Act to erect the County of Hastings into a separate District," be restored to the order of the day.

Notice of a motion for restoring Hastings' division bill to the order of the day.

The Honorable Mr. Clark, from the Select Committee appointed to present an Address to the Lieutenant Governor, thanking His Excellency for His several messages of the twentieth instant; reported the delivery thereof.

Report of a Select Committee appointed to present an address of thanks to His Excellency.

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Report of a Select Committee appointed to present an address of thanks to His Excellency.

The Honorable Mr. Hamilton, from the Select Committee appointed to present an Address to the Lieutenant Governor, thanking His Excellency for His several messages of yesterday, reported the delivery thereof.

House adjourns.

On motion made and seconded, the House adjourned.

WEDNESDAY, 25th MARCH, 1835.

House meets.

The House met pursuant to adjournment.

PRESENT :

Members present.

<p><i>The Honorable</i> JOHN B. ROBINSON, SPEAKER. <i>The Honorable Messrs.</i> CLARK, " " CROOKSHANK, " " ALLAN, " " McDONELL,</p>	<p><i>The Honorable Messrs.</i> BURNHAM, " " BALDWIN, " " HAMILTON, " " CROOKS,</p>
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Prayers were read.

The Minutes of yesterday were read.

Lawsuits prevention bill recommitted.

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 unnecessary multiplication of Lawsuits and increase of Costs in Actions on Notes, Bonds, Bills of Exchange, and other Instruments."

The Honorable Mr. Burnham 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 further progress therein, and asked leave to sit again tomorrow.

Leave granted.

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

Alien's Estate bill, recommitted.

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 confirm British Subjects in their titles to Real Estate derived through Aliens."

The Honorable Mr. Hamilton took the Chair.

After some time the House resumed.

Reported ;

The Chairman reported that the Committee had taken the said bill 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.

Ordered, that the report be received ; and,

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 Crooks and Baldwin, do compose the same for that purpose.

Hamilton and Port Dover 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 incorporate sundry persons under the style and title of the Hamilton and Port Dover Rail-road Company."

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, which they were ready to submit whenever the House would be pleased to receive the same.

Ordered, that the report be received tomorrow.

Cayuga Glass Company's Corporation 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 incorporating certain persons therein named, and their associates, under the style and title of the Cayuga Glass Manufacturing Company."

The Honorable Mr. Crooks 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 tomorrow.

Leave granted.

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

Petitions of Thomas Campbell, and others ;

Pursuant to the order of the day, the petition of Thomas Campbell, and others, inhabitants of the County of Hastings, praying to be set apart from the Midland District ; and the

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SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

petitions of James Boulton, and others, inhabitants of the Niagara District; of Daniel Griffin, and others, inhabitants of the Home District; and of James Calcutt, and others, inhabitants of the District of Newcastle, respectively praying for an Act increasing the Capital Stock of the Commercial Bank of the Midland District; were severally read.

Of James Boulton, and others;
Of Daniel Griffin, and others;
And of James Calcutt, and others, read.

Pursuant to notice, the Honorable Mr. Baldwin moved, that the House be put into a Committee of the whole upon the bill entitled "An Act to erect the County of Hastings into a separate District"; and the petition of Thomas Campbell, and others, inhabitants of the County of Hastings, praying to be set apart from the Midland District, upon which the bill is founded, and that the same do stand upon the order of the day for Friday next; which being seconded,

Motion for referring Hastings division bill to a Committee of the whole House; as also the petition of Thomas Campbell and others.

The question of concurrence was put, and carried in the affirmative; and then it was,

Question put, and carried.

Ordered, that the House be put into a Committee of the whole upon the bill entitled "An Act to erect the County of Hastings into a separate District," and the petition of Thomas Campbell and others, inhabitants of the County of Hastings, praying to be set apart from the Midland District, upon which the bill is founded, and that the same do stand upon the order of the day for Friday next.

On motion made and seconded, the House adjourned.

House adjourns.

THURSDAY, 26th MARCH, 1835.

The House met pursuant to adjournment.

House meets,

PRESENT :

<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> ALLAN,	
<i>The Honorable Messrs.</i> CLARK,	" "	P. ROBINSON,
" " CROOKSHANK,	" "	BURNHAM,
<i>The Hon. & Ven. The</i> ARCHDEACON OF YORK,	" "	ELMSLEY,
<i>The Honorable Messrs.</i> WELLS,	" "	BALDWIN,
" " MARKLAND,	" "	CROOKS,

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 for the disposal of the Clergy Reserves in this Province, for the purposes of general Education," and the report of the Select Committee thereon.

Clergy Reserve sale bill, and the report of the Select Committee thereon, 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 of the Select Committee thereon, into consideration, and recommended the series of resolutions therein referred to, together with a further resolution, to the adoption of the House.

Resolutions reported.

Ordered, that it be received; and,

The said Resolutions were then read by the Clerk, as follows :

Read first time.

Resolved.—That His late Majesty, King George the Third, having been graciously pleased, by message to both Houses of Parliament, to express his Royal desire to be enabled to make a permanent appropriation of Lands in this Province, for the support and maintenance of a Protestant Clergy within the same, provision was made for that purpose by Parliament in the Statute passed in the 31st year of His Majesty's reign, Chap. 31st, by directing a reservation of Lands to be made and set apart in the proportion of all the Lands that should be granted by His Majesty in the said Province, and by declaring that all and every the rents, profits or emoluments, which might at any time arise from such lands so allotted and appropriated as aforesaid, should be applied solely to the maintenance and support of a Protestant Clergy within the Province, and to no other use or purpose whatever.

The resolutions.

Resolved.—That such allotments and appropriations as the Act directs, having been made from time to time, and continuing to be set apart under the designation of Clergy Reserves, a claim was advanced in the year 1821, on behalf of the Church of Scotland, to be allowed to share in those Reserves, or in the rents, profits or emoluments to be derived from them, which claim was made and has been urged upon the footing of a legal claim, grounded on the con-

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struction of the Statute, and on the rights of the Church of Scotland, as a Church established in one part of the United Kingdom.

Resolved.—That it has been advanced by other portions of the people of this Province, that all Protestant denominations have a right, in common with the Church of England, to have their Clergy supported from the Reserves in question, and that no exclusive right can be vindicated under the Act in favor of any one or more Protestant Churches.

Resolved.—That efforts have also been made to procure a total abolition of this provision for the support of Religion, by obtaining an Act of the Provincial Legislature, directing the sale of the Reserves, and the appropriation of the proceeds to purposes of general Education.

Resolved.—That by these conflicting claims and opposing views, in regard to a subject of so great interest and importance, the minds of His Majesty's Subjects in this Province have for a long period been rendered anxious and unsettled, and in the opinion of the Legislative Council, it is for many reasons much to be desired that a speedy and final settlement should take place of the questions which have arisen upon the effect of the enactments referred to, and that it should be plainly, certainly and firmly established to what specific objects the Clergy Reserves shall be permanently applied.

Resolved.—That the Legislative Council, confiding in the wisdom and justice of His Majesty and the Imperial Parliament, think it expedient and proper humbly to address His Majesty and both Houses of Parliament, representing that the Legislature of this Province has been unable to concur in any measure respecting the Clergy Reserves; and earnestly requesting that the Imperial Parliament will, with as little delay as possible, make such an enactment on the subject as cannot appear to leave any room for doubt or question in regard to the objects to which the proceeds of the Clergy Reserves are to be applied, and that having regard to the present condition and future welfare of this Colony, and maturely considering whatever has been urged or may be urged in regard to these Reserves, they will by some measure, which shall be final and unequivocal, make such an appropriation of them as shall appear to be most consistent with a due regard to Religion, to the principles of our Constitution, and to the permanent welfare and tranquillity of the Province.

Resolved.—That it is the opinion of this Committee that the same Select Committee to whom was referred the bill sent up from the Assembly entitled, "An Act for the disposal of the Clergy Reserves in this Province for the purposes of general education," be instructed to report upon the principles and details of the bill; and also upon the provision made by law for the support of Religion in this Province, as well as upon the questions which have arisen respecting it, and the measures which have been taken in England and in this Country in relation to the same.

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,

First six resolutions sent to the Assembly for concurrence.

Ordered, that a copy of the first six resolutions be sent to the Commons House of Assembly, by the Master in Chancery, for their concurrence.

Lawsuits prevention bill, recommitting.

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 unnecessary multiplication of Lawsuits, and increase of Costs in Actions on Notes, Bonds, Bills of Exchange, and other Instruments."

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 were ready to submit whenever the House would be pleased to receive the same.

Ordered, that the report be received tomorrow.

Amendments to Hamilton and Port Dover Rail-road bill, presented.

Pursuant to the order of the day, the Honorable Mr. Crooks from the Committee of the whole upon the bill entitled, "An Act to incorporate sundry persons under the style and title of the Hamilton and Port Dover Rail-road Company," presented the amendments made thereto; and,

Read first time,

The same were then read by the Clerk, as follows:

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SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

- Press 1, line 3.—Expunge “Gore District” and insert “District of Gore.”
- “ “ “ “.—Expunge “London District” and insert “District of London.” The amendments.
- “ 2, “ 11.—Expunge “Gore District” and insert “District of Gore.”
- “ “ “ 12.—Expunge “London District” and insert “District of London.”
- “ 3, last line.—Expunge “Gore District” and insert “District of Gore.”
- “ “ “ Expunge “London District” and insert “District of London.”
- “ 4, “ 3.—Expunge “Gore District” and insert “District of Gore.”
- “ “ “ 4.—Expunge “London District” and insert “District of London.”
- “ 6, “ 3.—Expunge “Gore District” and insert “District of Gore.”
- “ “ “ “.—Expunge “London.”
- “ “ “ 4.—After “District” insert “of London.”
- “ “ “ 20.—Expunge “Gore District” and insert “District of Gore.”
- “ “ “ “.—Expunge “London District” and insert “District of London.”
- “ 10, “ 4.—After “the” expunge “Gore and” and insert “Districts of.”
- “ “ “ 5.—Expunge “London Districts,” and insert “Gore and London.”

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 tomorrow.

Pursuant to the order of the day, the House was again put into a Committee of the whole upon the bill entitled, “An Act for incorporating certain persons therein named, and their associates, under the style and title of the Cayuga Glass Manufacturing Company.” Cayuga Glass Company's Corporation 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 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:—

- Press 1, line 14.—Expunge “Upper Canada” and insert “Cayuga.” Read first time.
- “ “ “ 20.—Expunge “Upper Canada” and insert “Cayuga.” The amendments.
- “ 2, “ 16.—Expunge “the” and insert “three.”
- “ 4, “ 7.—Expunge “hereinafter” and insert “hereinbefore.”

After the last clause in the bill, add—“18. 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 in any of its provisions, as they may think proper, for affording just protection to the public, or to any person or persons, body politic or corporate, in respect to their estate, property or rights, or any interest therein, or any advantage, privilege or convenience connected therewith, that may be affected by any of the powers given by this Act.”

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 tomorrow.

The Honorable Mr. Baldwin, from the Select Committee to whom was referred the bill entitled “An Act to confirm British Subjects in their titles to Real Estate derived through Aliens,” presented their report. Report of the Select Committee upon Aliens Estate bill, presented.

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 to your Honorable House, entitled, “An Act to confirm British Subjects in their titles to Real Estates derived through Aliens,” beg leave to report— Read.

That your Committee ascertained that a number of British Subjects who have lately emigrated to this Province, and purchased lands under titles derived from Aliens, feel themselves insecure in their possessions, from that circumstance, and unless the said bill becomes a law, may lose, not only the sums originally paid, but what they have since expended along The report.

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with it, which in the Village of Canning, in the Township of Blenheim, in the London District, will amount to a large sum of money, as many buildings have, since the passage of a similar Act in the third year of His present Majesty's reign, been erected in the said Village, the freehold upon which it is located having at one time been in an Alien.

Your Committee beg further to report, that several other cases have come to their knowledge, and there can be little doubt but many others in this Province are in the same situation.

Your Committee therefore beg leave to recommend to the House the passage of the present bill.

(Signed)

A. BALDWIN,
CHAIRMAN.

*Committee Room of the Legislative Council,
March, 26th, 1835.*

Ordered, that the House be again put into a Committee of the whole tomorrow upon the last mentioned bill, and the report of the Select Committee thereon.

Notice of bringing in
Court of Appeals bill.

The Honorable the Speaker gave notice, that he would tomorrow bring in a bill to constitute a new Court of Appeal for revising the Judgments of the Court of King's Bench.

House adjourns.

On motion made and seconded, the House adjourned.

FRIDAY, 27th MARCH, 1835.

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> CLARK,	" " BALDWIN,
" " ALLAN,	" " CROOKS,
" " BURNHAM,	

Prayers were read.

The Minutes of yesterday were read.

Hamilton and Port
Dover Rail-road 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 Hamilton and Port Dover Rail-road 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.

Amendments signed.

Whereupon the Speaker signed the amendments; and it was,

And sent to the
Assembly for con-
currence.

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 amendments, to which they desire the concurrence of the Commons House of Assembly.

Cayuga Glass Com-
pany's Corporation
bill, as amended, read
third time and
passed.

Pursuant to the order of the day, the bill entitled, "An Act for incorporating certain persons therein named, and their associates, under the style and title of the Cayuga Glass 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.

Amendments signed;

Whereupon the Speaker signed the amendments; and it was,

And sent to the
Assembly for con-
currence.

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 amendments, to which they desire the concurrence of the Commons House of Assembly.

A Member enters.

The Honorable Mr. Crookshank enters.

Saltfleet Salt Com-
pany's incorporation
bill, recommitted.

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 for the manufacture of Salt, in the Township of Saltfleet, in the Gore District."

The Honorable Mr. Allan took the Chair.

After some time the House resumed.

Friday, 27th March, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant, Governor.*

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. Amendments reported.

Ordered, that the report be received tomorrow.

Pursuant to the order of the day, the House was put into a Committee of the whole upon the bill entitled, "An Act to abolish imprisonment for Debt in certain cases." Imprisonment for debt abolition 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 Tuesday 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 erect the County of Hastings into a separate District"; and the petition of Thomas Campbell, and others, inhabitants of the County of Hastings, praying to be set apart from the Midland District. Hastings division bill, and the petition upon which the same was founded, 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 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 confirm British Subjects in their titles to Real Estate derived through Aliens," and the report of the Select Committee thereon. Aliens Estate bill, and the report thereon, recommitted.

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 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 Honorable Mr. Burnham, from the Committee of the whole upon the bill entitled, "An Act to prevent the unnecessary multiplication of Law-suits, and increase of Costs in Actions on Notes, Bonds, Bills of Exchange, and other Instruments," presented the amendments made thereto; and, Amendments to Law-suits prevention bill, presented.

They were then read by the Clerk, as follows: Read first time.

Press 1, line 1.—After "whereas" strike out the remainder of the preamble, and insert "it is expedient to make such alteration in the law as will prevent the necessity of bringing separate actions for sums not large in amount, against the several makers of a Bond or other Instrument, or against several persons liable to be sued upon a Bill of Exchange or Promissory Note, as maker, endorser or acceptor."

The amendments.

" " " 11.—After "that" insert "after the first day of July next after the passing of this Act."

" " " 13.—After "Instrument" insert "which shall be made or entered into after the passing of this Act."

" " " 23.—After "made" insert "for a sum not exceeding one hundred pounds."

" 3, " 19.—After "declaration" insert "and shall also annex a copy of such Note or Bill to the copy of the declaration that shall be served on any Defendant."

After the end of the present bill, insert "11. And be it further enacted by the authority aforesaid, that when in any case an action shall be brought against more than one Defendant under this Act, who must otherwise have been sued separately, and it shall happen that any one or more of the Defendants shall die pending the suit, an action may nevertheless be brought against the Executors or Administrators of any such deceased Defendant; Provided such Defendant would have been liable to be sued separately in case this Act had not been passed."

" 12. Provided always nevertheless, and be it further enacted by the authority aforesaid, that this Act shall not apply in any case in which the sum expressed

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to be payable in or upon any such bond, recognizance, promissory note, bill of exchange or other instrument, shall exceed the sum of one hundred pounds, nor to any case where separate actions are brought in the District Court against persons residing in several Districts."

" 13. And be it further enacted by the authority aforesaid, that where several Defendants are included in one process in pursuance of the provisions of this Act, and any one or more of them cannot be served with such process by reason that he or they is or are absent from the Province, or concealed within the same, then the action may proceed as against the other Defendant or Defendants without prejudice, and it shall be in the power of the Plaintiff afterwards to sue such Defendant or Defendants separately who shall not have been served with process, and to recover costs as if this Act had not been passed."

" 14. And be it further enacted by the authority aforesaid, that this Act shall remain in force for four years, and from thence to the end of the then next ensuing session of Parliament and no longer; but that any proceedings then pending shall be conducted to a final end without being affected by the expiration of this Act."

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.

Court of Appeal's bill, brought in.

Pursuant to notice, the Honorable the Speaker brought in a bill to constitute a new Court of Appeal, for revising the Judgments of the Court of King's Bench.

Read first time;

The said bill was then read; and it was,

And ordered to be printed.

Ordered, that the same be read a second time on Wednesday next, and that in the mean time it be printed for the use of Members.

Petitions of Jacob Choate, and others;

The Honorable Mr. Burnham brought up the petition of Jacob Choate, and others, inhabitants of the County of Durham; which was laid on the table.

And of A. W. Light, and others, brought up.

The Honorable Mr. Crookshank brought up the petition of A. W. Light, and others, inhabitants of the County of Oxford; 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, 30th MARCH, 1835.

House meets.

The House met pursuant to adjournment.

PRESENT :

Members present.

<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> ALLAN,
<i>The Honorable Messrs.</i> CLARK,	" " McDONELL,
" " DICKSON,	" " BURNHAM,
" " CROOKSHANK,	" " ELMSLEY,
<i>The Hon. & Ven. The</i> ARCHDEACON OF YORK,	" " BALDWIN,
<i>The Honorable Mr.</i> MARKLAND,	" " CROOKS,

Prayers were read.

The Minutes of Friday were read.

Lawsuits prevention bill, (as amended) read third time and passed.

Pursuant to the order of the day, the bill entitled "An Act to prevent the unnecessary multiplication of Lawsuits, and increase of Costs in Actions on Notes, Bonds, Bills of Exchange, and other Instruments," 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 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 amendments, to which they desire the concurrence of the Commons House of Assembly.

Tuesday, 31st March, 1835.

SIR JOHN COLBORNE, K. C. B. *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 erect the County of Hastings into a separate District," and the petition of Thomas Campbell and others, inhabitants of the County of Hastings, praying to be set apart from the Midland District.

Hastings division bill, and the petition upon which the same was founded, re-committed.

The Honorable Mr. Baldwin took the Chair.

After some time the House resumed.

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 confirm British Subjects in their titles to Real Estate derived through Aliens," and the report of the Select Committee thereon.

House resumes.
Alien's Estate bill, and the report of the Select Committee thereon, re-committed.

The Honorable Mr. Crooks took the Chair.

After some time the House resumed.

Pursuant to the order of the day, the bill entitled, "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," was read a second time; and it was,

House resumes.
U. C. Life Insurance bill, read second time.

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

Pursuant to the order of the day, the Honorable Mr. Allan, from the Committee of the whole upon the bill entitled "An Act to incorporate a Joint Stock Company for the manufacture of Salt, in the Township of Saltfleet, in the Gore District," presented the amendments made thereto; and,

Amendments to Saltfleet Salt Company's incorporation bill, presented.

They were then read by the Clerk, as follows:

In the title.—Expunge "Gore District" and insert "District of Gore."

Press 2, line 24.—After "persons" insert "qualified to be Director or Directors."

Read first time.

The Amendments.

" 4.—Add to the bill—" 11.—And be it further enacted by the authority aforesaid, that it shall and may be lawful for the Legislature of this Province at any time hereafter to amend or alter the provisions of this Act; and that the Charter hereby granted shall not be held to be forfeited by non-user before the first day of January, one thousand eight hundred and thirty seven."

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 tomorrow.

Pursuant to the order of the day, the petition of Jacob Choate, and others, inhabitants of the County of Durham, praying for the establishment of a Provincial loan office; and also the petition of A. W. Light, and others, inhabitants of the County of Oxford, praying that the said County may be set apart from the London District, and that the town plot of Blandford may be declared the new District town; were severally read.

Petitions of Jacob Choate and others; and of A. W. Light, and others; read.

The Honorable Mr. Allan brought up the petition of George Ham, of the Town of Cobourg; which was laid on the table.

Petitions of George Ham,

The Honorable Mr. Crooks brought up the petition of Sheldon Hawley, and others, inhabitants of the Midland District; which was laid on the table.

and of Sheldon Hawley and others, brought up.

The Honorable Mr. Elmsley gave notice that he would, tomorrow, move that 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 Niagara District," be restored to the order of the day.

Notice of a motion for restoring Niagara Bank Corporation bill, to the order of the day.

On motion made and seconded, the House adjourned.

House adjourns.

TUESDAY, 31st MARCH, 1835.

The House met pursuant to adjournment.

House meets,

PRESENT:

The Honorable JOHN B. ROBINSON, SPEAKER.

The Honorable Messrs. ALLAN;

The Honorable Messrs. CLARK,

" " McDONELL,

" " DICKSON,

" " ELMSLEY,

" " CROOKSHANK,

" " BALDWIN,

" " MARKLAND,

" " ADAMSON.

" " DUNN,

" " CROOKS.

Members present.

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Prayers were read.

The Minutes of yesterday were read.

Saltfleet Salt 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 a Joint Stock Company for the manufacture of Salt, in the Township of Saltfleet, in the Gore 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 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 amendments, to which they desire the concurrence of the Commons House of Assembly.

Imprisonment for debt abolition bill, recommitted.

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 abolish imprisonment for Debt in certain cases within this Province."

The Honorable Mr. Allan took the Chair.

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

Bills brought up from the Assembly:

Amendments to Hamilton and Port Dover Rail-road bill, to Grimsby Harbour Company's Incorporation bill; and to Indians relief bill, concurred in by the Assembly.

A Deputation from the Commons House of Assembly brought up several bills, to which they requested the concurrence of this House. The same Deputation returned the bill entitled, "An Act to incorporate sundry persons under the style and title of the Hamilton and Port Dover Rail-road Company,"—also the bill entitled, "An Act to incorporate certain persons therein mentioned under the style and title of the President, Directors and Company, of the Grimsby Breakwater Pier and Harbour Company,"—and also the bill entitled, "An Act to prevent the sale of Spirituous Liquors to Indians," and acquainted this House that the Commons House of Assembly had acceded to the amendments made in and to each of the said bills by the Legislative Council. The deputation then withdrew.

Imprisonment for debt abolition bill, recommitted.

The House was then again put into a Committee of the whole upon the bill entitled "An Act to abolish imprisonment for debt in certain cases within this Province."

The Honorable Mr. Allan 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.

Imprisonment for debt abolition bill, recommitted.

The House was then again put into a Committee of the whole upon the bill entitled, "An Act to abolish imprisonment for debt in certain cases within this Province."

The Honorable Mr. Allan 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 tomorrow.

Leave granted.

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

Speaker reports the receipt of Education promotion bill; of Absconding debtors continuation bill; of contingency covering bill; and of Dixon's privilege bill, from the Assembly.

His Honor the Speaker reported to the House that Deputations from the Commons House of Assembly had brought up a bill entitled, "An Act to promote education,"—also a bill entitled, "An Act to continue the Law for attaching the property of Absconding Debtors," also a bill entitled "An Act to make good certain monies advanced for the contingent expenses of the last Session of the Legislature of this Province; and also to make good certain monies advanced in compliance with an address of the House of Assembly during the present Session,"—and also a bill entitled "An Act granting to Adam Dixon, of Montinelt, in the Township of Cornwall, certain privileges contained therein," to which they requested the concurrence of this House.

Read first time.

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

Ordered, that they be read a second time tomorrow.

Members enter.

The Honorable and Venerable the Archdeacon of York, and the Honorable Mr. Burnham, enter.

U. C. Life insurance 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 and Directors of the Upper Canada Life Insurance and Trust Company."

The Honorable Mr. Markland took the Chair.

Tuesday, 31st March, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

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 tomorrow. Reported, and leave asked to sit again.

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

Pursuant to notice, the Honorable Mr. Elmsley moved that the House 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 Bank of the Niagara District," and that the same do stand upon the order of the day for tomorrow; which being seconded, Motion for recommending Niagara Bank Corporation bill;

The question of concurrence was put, and it was carried in the affirmative, and it was then; Put and carried.

Ordered, that the House 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 Bank of the Niagara District," and that the same do stand upon the order of the day for tomorrow.

The Honorable Mr. Clark, from the Select Committee to whom was referred the bill entitled "An Act to define the limits of the Town of Brantford, in the District of Gore, and to establish a Police and public Market therein," presented their report. Report of the Select Committee upon Brantford 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 define the limits of the Town of Brantford, in the District of Gore, and to establish a Police and public Market therein," beg leave respectfully to report:

That they have gone through the said bill, but find no petition for the passing of the Act, nor any public notice in the Government Gazette that such an Act would be applied for; and further, that upon application to persons resident in Brantford your Committee find that the passing of such an Act is not generally wished for; your Committee cannot therefore recommend the bill to the adoption of your Honorable House. The report.

All which is respectfully submitted.

Legislative Council Committee Room,

31st day of March, 1835.

The Honorable Mr. Clark, from the Select Committee to whom was referred the bill entitled, "An Act for altering and amending the Charter of the President, Directors and Company, of the Commercial Bank of the Midland District, and for increasing the number of Shares to be held in the Capital Stock of the Company," presented their report. Report of the Select Committee upon Kingston Bank's 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 entitled, "An Act for altering and amending the Charter of the President, Directors and Company, of the Commercial Bank of the Midland District, and for increasing the number of Shares to be held in the Capital Stock of the Company," with instructions to frame amendments to give a similar increase of Capital to the Bank of Upper Canada, beg leave respectfully to report: The report.

That they have framed amendments to that effect, which they recommend to the adoption of your Honorable House, and they are as follows:—

In the title, line 1.—Expunge "charter" and insert "charters."

" " " 3.—After "District" insert "and the President Directors and Company of the Bank of Upper Canada."

" " " 4.—Expunge "Company" and insert "these Companies."

In the bill, Press 1, line 2.—After "Province" insert "and the President Directors and Company of the Bank of Upper Canada."

" " " —After "their" insert "several."

" " " 3.—Expunge "Bank" and insert "Banks."

" " " 14.—After "District" insert "and also the second and third clauses of an Act passed in the second year of His Majesty's reign, entitled "An Act for altering and amending the charter of the

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President, Directors and Company, of the Bank of Upper Canada, and for increasing the number of shares to be held in the capital stock of the said Company."

In the bill, Press 1, line 19.—After "pounds" insert "and the number of shares constituting the stock of the Bank of Upper Canada shall not exceed twenty four thousand, and that the whole amount of the stock, estate and property, which the Bank of Upper Canada shall be authorised to hold, including the capital stock, shall not exceed three hundred thousand pounds."

" " 21.—After "stock" insert "of the Commercial Bank of the Midland District."

" " " —After "pounds" insert "and that each share over and above the sixteen thousand which now form the capital stock of the Bank of Upper Canada shall be twelve pounds ten shillings."

" " 22.—After "subscription" insert "for each of the said Banks respectively."

" " 26.—After "Directors" insert "of each of the said Banks respectively,"

Press 2, line 5.—After "Stockholders" insert "of each of the said Banks respectively."

" " " 16.—Expunge "Bank" and insert "said Banks."

" " " 18.—Expunge "Bank" and insert "Banks."

" " " 22.—Expunge "Bank" and insert "said Banks."

" " " " —Expunge "its" and insert "their."

" " " 24.—Expunge "Bank" and insert "said Banks."

" " " 26.—Expunge "Charter" and insert "Charters."

" 3, " 3.—After "share" insert "in the Commercial Bank of the Midland District, and of twelve pounds ten shillings in the Bank of Upper Canada."

" " " 6.—After "District" insert "and according to the ratio established by the seventh clause of the Act passed in the second year of His present Majesty's reign, entitled, "An Act for altering and amending the Charter of the President, Directors and Company, of the Bank of Upper Canada, and for increasing the number of Shares to be held in the Capital Stock of the said Company."

" " " 12.—After "Stock" insert "of either Banks."

" " " 20.—Expunge "Bank" and insert "Banks."

" " " 22.—Expunge "Bank" and insert "Banks."

" 4, " 2.—Expunge "Bank" and insert "Banks."

" " " " —Expunge "its" and insert "their."

" " " 4.—Expunge "Bank" and insert "Banks" in two places.

" " " 5.—Expunge "house" and insert "houses."

" " " 8.—Expunge "Bank" and insert "Banks."

" " " 10.—Expunge "Bank" and insert "Banks."

" " " 12.—Expunge "Bank" and insert "Banks."

" " " " —Expunge "Charter" and insert "respective Charters."

" " " 13.—Expunge "Bank" and insert "Banks."

" " " 14.—Expunge "Bank" and insert "Banks."

" " " 18.—Expunge "the Bank" and insert "both the said Banks."

" " " 19.—Expunge "Bank" and insert "Banks."

" " " 24.—Expunge "Bank" and insert "Banks."

" " " 26.—Expunge "Bank" and insert "Banks."

*Committee Room of the Legislative Council,
31st day of March, 1835.*

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 tomorrow.

Wednesday, 1st April, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

The Honorable Mr. McDonell, from the Select Committee to whom was referred the bill entitled, "An Act to authorise a new Survey in the Township of King," presented their report. Report of the Select Committee upon King's Township survey bill, presented.

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 authorise a new Survey in Township of King," respectfully beg leave to report: Read.

That they have had before them Mr. Gibson, Deputy Surveyor and a Member of the House of Assembly, who produced a joint petition from the individuals settled on the eighth and ninth concessions, stating the error in the original survey, and praying that a new survey (such as is described in the bill) may be made, in order to secure the inhabitants of both concessions in their respective possessions. Mr. Gibson produced also a report and diagram on the same subject made by Mr. John Goessman, a Deputy Surveyor, in November 1830. The report.

It appears to your Committee that no evil can arise from concurring in passing the bill, but on the contrary, that it will be satisfactory to all parties.

All which is respectfully submitted.

*Legislative Council Committee Room,
31st day of March, 1835.*

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.

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

WEDNESDAY, 1st APRIL, 1835.

The House met pursuant to adjournment. House meets.

PRESENT:

<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> McDONELL,	
<i>The Honorable Messrs.</i> CLARK,	"	BURNHAM,
"	"	ELMSLEY,
"	"	BALDWIN,
<i>The Hon. & Ven. The</i> ARCHDEACON OF YORK,	"	ADAMSON,
<i>The Honorable Messrs.</i> MARKLAND,	"	CROOKS,
"	"	ALLAN,

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 entitled, "An Act to abolish imprisonment for Debt in certain cases within this Province." Imprisonment for debt abolition bill, recommitted.

The Honorable Mr. Burnham 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.

The House was then again put into a Committee of the whole upon the bill entitled, "An Act to abolish imprisonment for debt in certain cases within this Province." Imprisonment for debt abolition bill, recommitted.

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 were ready to submit whenever the House would be pleased to receive the same. Amendments reported.

Ordered, that the report be received tomorrow.

His Honor the Speaker reported to the House that a Deputation from the Commons House of Assembly had brought up a bill entitled, "An Act to divide the Township of Hawkesbury, in the Ottawa District, into two separate Townships, of East and West Hawkesbury," to which they requested the concurrence of this House. Speaker reports the receipt of Hawkesbury Township division bill, from the Assembly.

The said bill was then read; and it was,

Read first time.

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Ordered, that the same be read a second time tomorrow.

Speaker reports the receipt of a communication from His Excellency on the subject of the prorogation.

The Honorable the Speaker acquainted the House that he had received a communication from His Excellency the Lieutenant Governor, stating that His Excellency would prorogue the present Session of the Legislature on Monday the thirteenth day of April, instant.

U. C. Life Insurance Corporation 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 and Directors of the Upper Canada Life Insurance and Trust Company."

The Honorable Mr. Markland took the Chair.

After some time the House resumed.

A Member enters.

The Honorable Mr. Dunn enters.

Reported, and leave asked to sit again.

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

Leave granted.

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

Niagara Bank Corporation 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 Niagara District."

The Honorable Mr. Allan 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 tomorrow.

Leave granted.

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

Kingston Bank's Charter amendment bill, and the report thereon, 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 for altering and amending the Charter of the President, Directors and Company, of the Commercial Bank of the Midland District, and for increasing the number of Shares to be held in the Capital Stock of the Company," together with the report of the Select Committee thereon.

The Honorable Mr. Elmsley took the Chair.

After some time the House resumed.

A resolution reported for not adopting the amendments reported by the Select Committee.

The Chairman reported that the Committee had gone through the said bill, and had agreed to a resolution, and recommended the bill without amendment to the adoption of the House.

Ordered, that the report be received ; and,

Read first time.

The Resolution was then read by the Clerk, as follows:

The Resolution.

Resolved.—That in the opinion of this Committee it is not considered expedient to adopt the amendments reported by the Select Committee to whom was referred the bill entitled, "An Act for altering and amending the Charter of the President, Directors and Company of the Commercial Bank of the Midland District, and for increasing the number of Shares to be held in the Capital Stock of the Company."

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, that the said bill be read a third time tomorrow.

Court of Appeals bill, read second time.

Pursuant to the order of the day, the bill to constitute a new Court of Appeal for revising the Judgments of the Court of King's Bench, was read a second time ; and it was,

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

Education promotion bill, read second time ;

Pursuant to the order of the day, the bill entitled, "An Act to promote Education," was read a second time ; and it was,

And ordered to be printed.

Ordered, that the House be put into a Committee of the whole on Monday next, to take the same into consideration ; and that in the mean time it be printed for the use of Members.

Absconding Debtors continuation bill ; And contingency covering bill, read second time.

Pursuant to the order of the day, the bill entitled, "An Act to continue the Law for attaching the property of Absconding Debtors ;" and also the bill entitled, "An Act to make good certain monies advanced for the contingent expenses of the last Session of the Legislature of this Province ; and also to make good certain monies advanced in compliance with

Wednesday, 1st April, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

an address of the House of Assembly during the present Session," were severally read a second time; and it was,

Ordered, that the House be put into Committees of the whole tomorrow, to take each of the last mentioned bills into consideration.

Pursuant to the order of the day, the bill entitled "An Act granting to Adam Dixon, of Montinelte, in the Township of Cornwall, certain privileges contained therein," was read a second time; and it was,

Dixon's privilege bill, read second time.

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

Pursuant to the order of the day, the petition of George Ham, of the Town of Cobourg, praying for remuneration from the Cobourg Harbour Company, for losses sustained by him; and also the petition of Sheldon Hawley, and others, inhabitants of the Midland District, praying that the Hastings division bill may not be passed in the shape as sent to the Legislative Council, were severally read.

Petitions of George Ham;

And of Sheldon Hawley, and others, read.

The Honorable Mr. Dunn brought up the petition of the Office-bearers of the Toronto Mechanics' Institute; which was laid on the table.

Petition of the Office-bearers of the Toronto Mechanics' Institute, brought up.

The Honorable Mr. Burnham, from the Select Committee to whom was referred the bill entitled, "An Act to reduce to one Act of Parliament the several Laws relative to the appointment and duties of Township Officers in this Province," presented their report.

Report of the Select Committee upon Township Officers appointment 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 reduce to one Act of Parliament the several Laws relative to the appointment and duties of Township Officers in this Province," beg leave to report:—

That Your Committee have carefully gone through the examination of the different provisions contained in the present bill, and compared them with those of the Acts proposed to be repealed by it, in order to ascertain how far they have been re-enacted, what have been left out, and what new ones are proposed to be made.

The report.

In order to lay before your Honorable House what appears to your Committee to be necessary for them to remark upon, they propose, in this report, to follow the arrangement of the present bill, clause by clause.

In the Acts 50th Geo. 3rd, proposed to be repealed, provision is made for the white inhabitants of the County of Haldimand to hold Town Meetings, and elect Parish and Town Officers, which is not provided for in the present bill, although, in the opinion of your Committee, such provision is as necessary at this as at any former time.

And by the Act 53rd Geo. 3rd, which is proposed also to be repealed, it is made the duty of the Collectors of the different Townships to pay over every three months, or more frequently if directed so to do by the Quarter Sessions, all monies that they may have collected; the provision in that respect by the present bill being to collect the Assessments for the preceding year in the succeeding one, anterior to the meeting of the Quarter Sessions next after the first day of March, in each year; an innovation to which they beg leave to call the attention of your Honorable House; as also to the omission in the present bill, of the words "reputed Township or place," which were contained in all the former Acts, and which your Committee consider necessary to be continued, as there are many places in the Province not set off as Townships containing white inhabitants, who have heretofore met and elected the same Officers as Townships, particularly on the Indian Lands, which they would not now have power to do, nor in the Islands forming no part of any named Township.

The ninth clause of the Act 59th Geo. 3rd, makes the fines therein authorised to be levied applicable to general purposes of the District, whereas by the present bill they are to be appropriated to the improvement of the Roads and Bridges.

The fifth clause of an Act, 4th Geo. 4th, gives the Magistrates in General Quarter Sessions assembled power to authorise persons subject to the payment of one-eighth of a penny per acre upon Wild Lands, to lay out the same under certain restrictions in advance, which, to your Committee, appears a salutary enactment, inasmuch as it holds out an inducement for persons possessing large tracts of Land to open roads into it without the delay incident

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to the collection of said rates before being expended, and moreover, it has come to the knowledge of your Committee, that in the Township of Hamilton the Magistrates, by virtue of this authority, have borrowed money to make a road to Rice Lake, great part of which is unliquidated, so that unless some provision is made the present Act will put it out of their power to fulfil their engagements.

By the bill referred to your Committee, the Town Clerk is to call the town meeting, which at present is done by warrant of the Magistrate acting within the division where it is situated, and an elective Chairman presides.

By the Laws proposed to be repealed the Constable presides; but your Committee do not deem this alteration of so much consequence as reducing (as the bill referred to them does) the number of Assessors to *one* instead of two; indeed rather than being reduced your Committee are of opinion it would have been more judicious to have added to the number, more particularly as the duty of taking the census is continued to them, and the fees proposed by the present bill are rather increased than diminished. No provision is made in it as to the age when persons can vote at Town Meetings, which your Committee are of opinion should not be under their majority.

In the fourth clause of the bill, the words "to the Court having jurisdiction of similar offences," are inserted, thereby seeming to allude to some other jurisdiction than that distinctly mentioned in the first part of the same clause, which recognizes the Board of Commissioners as the persons authorised to judge of and *levy all the fines* incurred under its different provisions; and by the fifth clause the inhabitants are authorised to meet, notwithstanding the Town Clerk may have neglected his duty of not calling the meeting, but there is no penalty attached to such neglect, neither for neglecting to furnish the Bond to be given by the Collector, nor for transmitting it to the Treasurer of the District, although under the Acts proposed to be repealed a fine was inflicted, in the latter case of from five to twenty-five pounds: it is true he is to give a bond with security that he will pay over any balance that may remain in his hands to his successor, and to deliver up the papers and books belonging to the Township, but it goes no farther, and seems to apply to no other part of his duty; and the said Town Clerk is obliged to notify each appointment, even if the party is present at the town meeting, and the bill does not provide for any other than personal service of the notice of such appointment, which may be found to be extremely inconvenient, and might be obviated by having the notice left at the usual place of abode of such person.

The Clerk of the Township is by the bill constituted the Clerk of the Commissioners and to attend all their meetings, for which, and all other duties, he is to receive five shillings per day from the District Treasurer, upon an account to be sworn to before a Magistrate; and the Commissioners are to receive a like sum per day, and their accounts to be certified by the said Town Clerk; these sums may be found to be a large drain upon the District Treasury, more particularly as they are not limited in the number of times they may meet, nor the length of time they may remain together; and although they are to lay their accounts before the next town meeting, it is questionable how far this will be a sufficient check upon their expenditure.

The provision in the bill for the appointment of these Commissioners is a complete innovation of the former system; but your Committee, although they deem it their duty to point out this change to your Honorable House, do not disapprove of it, on the contrary, they are inclined to think it will, if adopted, promote the interests of the Country, and that the duties which they are appointed to perform will be better done by them than as formerly by the Magistrates of the division; at any rate as the bill, should it become a law, is only to be in force for four years no great evil can ensue, and they consider it worthy of a trial.

Your Committee, however, beg leave to notice what they deem an omission, namely, that there is no provision whether the Commissioners shall be allowed to hold any other office in the Township, or the contrary; they would therefore recommend the seventeenth clause to be a restraining one in that respect, as composing the tribunal before which all offences under the bill are to be adjudged it is obvious how improper it would be for them to hold any other office. This clause (seventeenth) is nearly verbatim with the thirteenth, therefore may be struck out of the bill to advantage, and the above provision made in its place.

The eighteenth clause seems to confine the duty of the Assessor to the Acts now in force in this Province relative to Assessments; your Committee would therefore recommend the

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addition of the words "as required by any Assessment Law in force, or that may be hereafter in force in this Province.

The nineteenth clause requires no oath to be taken, and is not so guarded as to the duty of the Assessor in taking the Census as the enactment proposed to be repealed, which provides that he shall swear "that such list had been faithfully taken by attendance at the usual place of residence of the several householders or heads of families therein named, and contains a true and correct statement of the number of inhabitants in the Township, place or places for which the same shall have been taken, according to the best of his or their knowledge and belief."

The twenty-second and twenty-third clauses propose to enact a graduated scale of fees to the Assessor and Collector instead of the per centage paid by the laws now in force, which your Committee do not object to, but they think it important that the Collector should be a freeholder in the Township for which he is appointed.

The twenty-seventh clause exonerates the Collector in case that any person removes out of the Township, but gives no power to the Collector of the Township to which he removes, or any other person, to collect the rates which he was liable to pay had he not so removed.

The thirtieth clause does not provide any width for Bridges, which the present law fixes at fifteen feet.

The thirty-first clause appears to be defective in fixing the first day of June as the period up to which time persons liable to perform Statute-labour on the roads may compound. In the opinion of your Committee the first May would be more proper, inasmuch as that the Statute labour is to be performed between that time and the fifteenth day of July in each year.

In the different enactments proposed by the bill relative to Pound-keepers, it is not provided before what tribunal the award of costs are to be recovered, in case the party impounding cattle fail in proving damages, nor are the jury of three persons who are to decide upon the quantum of damages required to be sworn.

The latter part of the forty-second clause your Committee are of opinion, beginning with the words "as for instance, &c." might be omitted to advantage. The fifty-ninth clause giving authority to the Court to summon any person in the Township that may be required by any party does not confine it to the matters contained in the bill, as it ought in the opinion of your Committee to do, otherwise so undefined and so extensive a power might be used very oppressively.

The sixty-first clause allows the Town Clerk ten shillings for each of the three copies of his account which he is to put up; your Committee are of opinion that five shillings for each would be an adequate allowance.

The sixty-fourth clause provides that the money collected under the absentee Tax Act, for the use of the Roads, shall be expended by the Commissioners instead of the Magistrates, which your Committee think judicious.

By the sixty-ninth clause the punishment of Perjury is provided to be inflicted upon persons wilfully and corruptly swearing or affirming falsely, but does not refer to the mitigated punishment adjudged by the criminal law now in force in this Province.

The latter part of the seventieth clause, making provision in case the Collector cannot procure security, seems to your Committee altogether unnecessary.

The seventieth clause, fixing the ratio of labour to be done upon the highways according to the value of the property, appears to your Committee to be altogether unjust, and would operate most oppressively upon those classes of inhabitants possessed of large property; in lieu of which your Committee would recommend the continuation of the ratio fixed by the laws now in force; and the Act 59th Geo. 3rd, proposed to be repealed by the same clause is already repealed by the first clause of the bill.

Your Committee would further remark, that no provision is made in the present bill for the election of Town and Church Wardens, nor establishing any other officers in their stead to bind out orphan children; neither is there any provision in the bill to punish by imprisonment any person offending against any of its provisions in cases where the fines cannot be collected, which is a departure from former Acts; and although this bill professes to embody

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in one Act all matters relative to Parish and Town Officers, yet the Fence-viewers appointed under the Act 4th William 4th, for regulating water courses and line fences, is not noticed in it.

All which is respectfully submitted.

(Signed)

Z. BURNHAM.

CHAIRMAN.

*Committee Room, Legislative Council,
1st April, 1835.*

On motion made and seconded, it was,

Ordered, that the House be again put into a Committee of the whole tomorrow upon the last mentioned bill, and the report of the Select Committee on same.

The Honorable Mr. Baldwin gave notice that he would, tomorrow, move that the House do resolve itself into a Committee of the whole to consider the expediency of a new division of the Province as to Districts.

The Honorable Mr. Elmsley brought up the petition of Joseph Turton, of the City of Toronto; which was laid on the table.

The Honorable Mr. Crooks brought up the petition of John Clark, Chairman of the Court of Quarter Sessions for the District of Niagara; and also the petition of Andrew Miller, and others, inhabitants of the Town of Hamilton; which were laid on the table.

On motion made and seconded, the House adjourned.

THURSDAY, 2nd APRIL, 1835.

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> CLARK,	" " BURNHAM,
	" " DICKSON,	" " BALDWIN,
	<i>The Hon. & Ven. The</i> ARCHDEACON OF YORK,	" " HAMILTON,
	<i>The Honorable Messrs.</i> MARKLAND,	" " ADAMSON,
	" " ALLAN,	" " CROOKS,

Prayers were read.

The Minutes of yesterday were read.

Kingston Bank's Charter amendment bill, read third time.

Pursuant to the order of the day, the bill entitled, "An Act for altering and amending the Charter of the President, Directors and Company, of the Commercial Bank of the Midland District, and for increasing the number of Shares to be held in the Capital Stock of the Company," was read a third time; and it was,

Motion for recommitting the bill;

Moved and seconded, that the said bill do not now pass, but that it be again committed to a Committee of the whole House forthwith.

Question put and negatived.

The question of concurrence was then put and carried in the negative :

Bill passed and signed; And the Assembly acquainted thereof.

Whereupon the bill passed, and 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 have passed this bill without amendment.

King's township survey bill, and the report thereon, recommitting.

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 new Survey in the Township of King," and the report of the Select Committee thereon.

The Honorable Mr. Elmsley took the Chair.

After some time the House resumed.

Reported;

The Chairman reported that the Committee had taken the said bill and the report of the Select Committee into consideration, had made some progress in the bill, and recommended that it be referred back to the same Select Committee to report further thereon.

Ordered, that the report be received; and,

And the bill referred back to the same Select Committee.

Ordered, that the said bill be referred back to the same Select Committee to report further thereon.

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- 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 Bank of the Niagara District." Niagara Bank Corporation bill, recommitted.
- The Honorable Mr. Allan took the Chair.
- After some time the House resumed. House resumes.
- Pursuant to the order of the day, the House was put into a Committee of the whole upon the bill to constitute a new Court of Appeal for revising the Judgments of the Court of King's Bench. Court of Appeals bill, committed.
- The Honorable Mr. Adamson 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 some 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 to constitute a new Court of Appeal for revising the Judgments of the Court of King's Bench. Court of Appeals bill, recommitted.
- 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 the same read a third time tomorrow.
- His Honor the Speaker reported to the House that a Deputation from the Commons House of Assembly brought up a bill entitled, "An Act to amend the Charter of King's College;" and also a bill entitled, "An Act to repeal the Law authorising the appointment of a Commission to take evidence relative to the trial of contested elections," to which they requested the concurrence of this House. Speaker reports the receipt of King's College charter amendment bill; And contested election commission repeal bill, from the Assembly.
- The said bills were then severally read; and it was, Read first time.
- Ordered, that the bill entitled, "An Act to amend the Charter of King's College," be read a second time on Monday next; and,
- Ordered, that the bill entitled, "An Act to repeal the Law authorising the appointment of a Commission to take evidence relative to the trial of contested elections," be read a second time tomorrow.
- Pursuant to the order of the day, the House was put into a Committee of the whole upon the bill entitled, "An Act to continue the Law for attaching the property of absconding Debtors." Absconding Debtors continuation bill, committed.
- The Honorable Mr. Dickson 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 tomorrow. 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 make good certain monies advanced for the contingent expenses of the last Session of the Legislature of this Province; and also to make good certain monies advanced in compliance with an address of the House of Assembly during the present Session." Contingency covering 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 tomorrow. Reported, and leave asked to sit again.
- Ordered, that the report be received, and leave granted accordingly. Leave granted.
- The Honorable Mr. McDonell gave notice that he would move, tomorrow, that an address be presented to His Excellency, to advance to this House the sum necessary for reimbursing the Committee of this House the expense incurred by them in furnishing the apartments for the use of the Legislative Council, and in making sundry alterations and improvements in that part of the Parliament Buildings appropriated to their use. Notice of a motion for an address to His Excellency, requesting an advance of money, sufficient for defraying the expense incurred in furnishing the Legislative Council Chamber.

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Township Officers
appointment bill,
and the report thereon
discharged from the
order of the day

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 reduce to one Act of Parliament the several Laws relative to the appointment and duties of Township Officers in this Province," and the report of the Select Committee thereon; it was,

Ordered to be discharged, and that the same do stand upon the order of the day for to-morrow.

Amendments to
imprisonment for
debt abolition bill,
presented.

Pursuant to the order of the day, the Honorable Mr. Burnham from the Committee of the whole upon the bill entitled, "An Act to abolish imprisonment for debt in certain cases within this Province," reported the amendments made thereto; and,

Read first time.

They were then read by the Clerk as follows:—

In the Title, Line 1.—After "to" expunge the remainder and insert, "mitigate the Law in respect to imprisonment for debt."

The Amendments.

In the Bill, Press 1, Line 1.—After "whereas" expunge the whole to the seventeenth clause and insert, "the imprisonment of persons in execution for debt is no otherwise justifiable than as a means of compelling such persons to apply whatever monies or property they may be possessed of, or may have under their control, to the satisfaction of their creditors; and whereas it is impossible, with a just regard to the rights of Creditors and to the interests of Commerce, to afford effectual relief to Insolvent Debtors, until a proper jurisdiction is provided and suitable laws enacted to facilitate and ensure a recourse against all the property of such Insolvent Debtors, but in the mean time it is expedient to make such provision as will render the Law in this respect less rigorous than at present: Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province", and by the authority of the same, That from and after the first day of June next after the passing of this Act, no person shall be arrested or holden to special bail upon any process issuing from His Majesty's Court of King's Bench for this Province, or from any District Court in this Province, where the cause of action shall not amount to ten pounds; and that so much of the eighth clause of a certain Act of the Parliament of this Province, 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 the Laws now in force respecting the practice of His Majesty's Court of King's Bench in this Province, as authorises personal arrest in a civil suit, when the cause of action shall amount to five pounds, or upwards;" and also so much of the eighth clause of a certain other Act of the Parliament of this Province, passed in the same year, entitled, "An Act to reduce into one Act the several Laws now in force establishing District Courts and regulating the practice thereof, and also to extend the powers of the said District Courts," as authorises personal arrest in all actions of contract within the jurisdiction of such Courts, be and the same is hereby repealed, so far only as the said clauses extend to authorise personal arrest for any sum less than ten pounds: Provided always, nevertheless, that such repeal shall not take effect until after the said first day of June next, and shall not render illegal or irregular any arrest for a less sum than ten pounds, which shall take place in any Court, before or on the said first day of

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June next, and shall not render illegal or irregular any proceedings which shall be had after or in consequence of such arrest."

" 2. And be it further enacted by the authority aforesaid, that from and after the said first day of June next, it shall not be lawful to take execution against the body of any person, Plaintiff or Defendant, upon a judgment recorded for costs only, nor in any case in which the judgment shall not be rendered for the sum of ten pounds or upwards, exclusive of costs; and that if any person shall be in custody upon an execution at the time of the passing of this Act, or at any time hereafter upon an execution which may issue before the said first day of June next, in a case in which it is proved by this clause that no execution shall issue against the body, such person may, upon application to the Court from whence the execution shall have issued, or to a Judge thereof in vacation, and after notice given to the opposite party or his attorney, by a rule to shew cause, be discharged from custody by order of the said Court or Judge, but it shall be lawful to take out execution against the goods and chattels, or against the lands or tenements of the person so discharged, in the same manner as in other cases of debtors discharged under the provisions of this Act."

" 3. And whereas it might tend greatly to the relief of certain debtors in execution for small debts, and at the same time occasion no material prejudice to trade and public credit, if such debtors should, after a limited period of imprisonment, be allowed to be discharged, saving to their creditors their remedy against the property of the debtor so discharged, be it therefore enacted by the authority aforesaid, that from and after the passing of this Act all persons in execution upon any judgment rendered in this Province in a civil suit for any debt or damages, not exceeding the sum of twenty pounds, exclusive of the costs recovered by such judgment, and who shall have lain in prison thereupon for the space of three calendar months, or been confined under such execution upon the gaol limits of any District in this Province for the space of twelve calendar months before the time of their application to be discharged as hereinafter mentioned, may make his her or their application in term time to the Court from whence such execution shall have issued to be discharged from custody upon such execution; and shall thereupon make and file an affidavit to the effect hereinafter mentioned; and if the Court shall be satisfied, upon cause shewn, that the person in custody is entitled to relief under this Act, or if no cause to the contrary shall be shewn, then such Court shall forthwith make a rule or order for discharging the party or parties from custody as to such execution: Provided always, that notwithstanding the discharge of any debtor or debtors by virtue of this Act the judgment against him or them shall continue and remain in full force to all intents and purposes, except as to the taking in execution the person or persons of such debtor or debtors thereupon; and it shall be lawful for the creditor to take out execution against the lands and tenements or goods and chattels of any such debtor so discharged, or to bring any action on any such judgment against such debtor, or to bring any such action or use any such remedy for the recovery of his demand against any other person or persons liable to satisfy the same, in the same manner as such creditor could have done in case such debtor had never been charged in execution upon such judgment. Provided also, that no debtor so discharged shall be liable to be arrested or taken in execution upon the same judgment, or in any action or proceeding to be afterwards instituted thereupon."

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“ 4. And be it further enacted by the authority aforesaid, that from and after the passing of this Act, all persons in execution upon any judgment rendered in this Province in a civil suit for any debt or damages exceeding the sum of twenty pounds, exclusive of costs, and who shall have lain in prison thereupon for the space of six calendar months before the time of their application to be discharged as hereinafter mentioned, when the debt shall not exceed one hundred pounds, or twelve calendar months when the debt shall exceed one hundred pounds, may, upon giving thirty days notice in writing to the opposite party, or his attorney, of his intention to make such application as hereinafter mentioned, apply for his discharge, in term time, to the Court from whence the execution shall have issued, and that such application shall be founded on an affidavit of the person in custody as aforesaid, to the effect hereinafter mentioned.”

“ 5. And be it further enacted by the authority aforesaid, that the opposite party upon being called upon to shew cause against such application, may disclose to the Court, upon affidavit of himself or of any other person or persons, any facts in answer to such application, and such Court may examine into the same, and may require further statements upon oath from or on behalf of either party, in their discretion; and that when in the opinion of the Court the party at whose suit the Debtor is in custody shows no reasonable ground whatever (and in such cases only) for expecting benefit from the further detention of the Debtor in execution, it shall be lawful for the Court to make an order for discharging such Debtor forthwith: Provided always, that such discharge shall have the same and no other effect as to any other remedy upon the same judgment, or in consequence thereof, as a discharge ordered under this Act, in cases where the debt shall not exceed twenty pounds.”

“ 6. And be it further enacted by the authority aforesaid, that the application made by any Debtor for his discharge from custody under this Act, whether the sum for which he is so detained shall be under or above twenty pounds, shall be founded upon an affidavit made by such Debtor in the cause in which he is in custody, to be afterwards filed among the papers of such cause, in which affidavit shall be set forth the time that he has been in custody upon such execution, and the amount for which he is detained, and stating further, that he is not possessed, nor any person or persons in trust for him, or to his use, of lands or tenements, monies, goods, chattels or effects of any description, besides his necessary wearing apparel or bedding, to the amount of five pounds; that since judgment in the cause was rendered against him he has not made any disposition or conveyance of his property or effects in order to defeat the remedy under the said judgment; that he has not the means within his power or under his control (excepting his necessary wearing apparel and bedding) of satisfying the debt for which he is in execution, or any part thereof; that he was guilty of no fraud, deceit, or dishonest practice in contracting the said debt, and that to the best of his knowledge and belief the party at whose suit he is in custody can derive no benefit from his, the said debtors', being longer imprisoned under such execution.”

“ 7. And be it further enacted by the authority aforesaid, that if it shall happen that any discharge granted under this Act shall have been unduly or fraudulently obtained upon any false allegation of circumstances, which if true might have entitled the prisoner to be discharged by virtue of this Act, such prisoner shall, upon the same being made appear

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to the satisfaction of the Court by whose rule or order the said prisoner had been so discharged, be liable to be again taken in execution and remanded to his former custody by the rule or order of the same Court: Provided always, that no Sheriff or Gaoler shall be liable as for the escape of any such prisoner in respect of his enlargement during such time as he shall have been at large by means of such his undue discharge as aforesaid."

Press 7, line 13.—After "Gaol delivery" expunge "or before the Court of general Quarter Sessions of the Peace."

Expunge the eighteenth, nineteenth, and twentieth clauses.

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 tomorrow.

Pursuant to notice, the Honorable Mr. Baldwin moved, that the House do forthwith resolve itself into a Committee of the whole to consider the expediency of a new division of the Province, as to Districts; which being seconded, Motion for a Committee of the whole upon a new division of the Province.

The question of concurrence was put, which was carried in the affirmative; and, Question put and carried.

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

The Honorable Mr. Burnham took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had agreed to a Resolution, which they recommended to the adoption of the House. A resolution reported for addressing His Excellency thereon.

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 an Address be presented to His Excellency the Lieutenant Governor upon the subject of the better division of this Province, in the following terms:— The resolution.

To His Excellency SIR JOHN COLBORNE, Knight, Commander of the most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY:

We, His Majesty's dutiful and loyal Subjects, the Legislative Council of Upper Canada, in Provincial Parliament assembled, beg leave to represent to your Excellency, that it appears from a number of petitions laid before this branch of the Legislature that much inconvenience has arisen from the great extent of several of the Districts of this Province, and the consequent distance of the Towns in which the Courts of Justice are held from the habitations of persons residing in the distant parts of those Districts.

The Legislative Council would also represent to your Excellency, that a general and uniform system of division of the Province into Districts seems to them as more likely to be useful to the people than the adoption of partial and temporary measures relative to the particular places from whence the petitions have been sent.

We would therefore pray your Excellency to take such means as to your Excellency may seem proper for the purpose of obtaining information on the subject of a new and permanent division of the Province, as well as relating to the measures which may be necessary to provide for the increased duties of the Courts of Justice that may result from such new division; and that your Excellency would be pleased to cause the same to be communicated to the Legislature at the next session of the Provincial Parliament.

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 Address to His Excellency the Lieutenant Governor be engrossed and same read a third time tomorrow.

Pursuant to the order of the day, the bill entitled, "An Act to divide the Township of Hawkesbury, in the Ottawa District, into two separate Townships, of East and West Hawkesbury," was read a second time; and it was, Hawkesbury Township division bill read second time.

Friday, 3rd April, 1835.

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

House adjourns.

On motion made and seconded, the House adjourned.

FRIDAY, 3rd APRIL, 1835.

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> CLARK,	" " BURNHAM,
	" " DICKSON,	" " ELMSLEY,
	" " CROOKSHANK,	" " BALDWIN,
	" " MARKLAND,	" " HAMILTON,
	" " DUNN,	" " CROOKS,

Prayers were read.

The Minutes of yesterday were read.

Court of Appeals bill, read third time and passed.

Pursuant to the order of the day, the bill to constitute a new Court of Appeal for revising the Judgments of the Court of King's Bench, was read a third time and passed; and it was,

Title ordered.

Ordered, that the title be "An Act to constitute a new Court of Appeal for revising the Judgments of the Court of King's Bench."

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.

Imprisonment for Debt abolition bill, as amended, read third time and passed.

Pursuant to the order of the day, the bill entitled "An Act to abolish imprisonment for debt in certain cases, 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;

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.

Gore Bank corporation 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 Gore Bank;" also a bill entitled "An Act to impose a duty on various articles imported from the United States of America into this Province;" also a bill entitled "An Act to promote the freedom, peace and quiet of Elections of Members to represent the several Counties, Ridings, Cities and Towns in this Province, in the House of Assembly, and further and more effectually to secure the independence of that House, by adopting the mode of voting by ballot;" and also a bill entitled "An Act to amend the Court of Requests law;" to which they requested the concurrence of this House, and then withdrew.

United States duty bill;

Election ballot voting bill;

And Court of Requests law amendment bill, brought up from the Assembly.

Gore Bank corporation 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 Gore Bank," was read; and it was,

And referred to a select committee.

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,

Members composing same.

Ordered, that the Honorable Messrs. Dickson and Crooks do compose the Committee for that purpose.

A Member enters.

The Honorable Mr. Allan enters.

United States duty bill, read first time,

The bill entitled "An Act to impose a duty on various articles imported from the United States of America into this Province," was read; and it was,

and ordered to be printed.

Ordered, that the same be read a second time on Monday next, and that in the mean time it be printed for the use of Members.

Election ballot voting bill, read first time.

The bill entitled "An Act to promote the freedom, peace and quiet, of Elections of Members to represent the several Counties, Ridings, Cities and Towns in this Province, in the House of Assembly, and further and more effectually to secure the independence of that House, by adopting the mode of voting by ballot," was read; and it was,

Ordered, that the same be read a second time tomorrow.

Friday, 3rd April, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

The bill entitled "An Act to amend the Court of Requests law," was read; and it was Ordered, that the same be read a second time on Wednesday next, and that in the mean time it be printed for the use of Members.

Court of Requests law amendment bill, read first time, and ordered to be printed.

Pursuant to the order of the day, the address to His Excellency the Lieutenant Governor upon the subject of a better division of the Province, was read a third time and passed.

Address to His Excellency on the subject of a better division of the Province, read third time and passed. Same signed.

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

To His Excellency SIR JOHN COLBORNE, Knight, Commander of the most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY:

We, His Majesty's dutiful and loyal Subjects, the Legislative Council of Upper Canada, in Provincial Parliament assembled, beg leave to represent, that it appears from a number of petitions laid before this branch of the Legislature that much inconvenience has arisen from the great extent of several of the Districts of this Province, and the consequent distance of the Towns in which the Courts of Justice are held from the habitations of persons residing in the distant parts of those Districts.

The address.

The Legislative Council would also represent to your Excellency, that a general and uniform system of division of the Province into Districts seems to them as more likely to be useful to the people than the adoption of partial and temporary measures relative to the particular places from whence the petitions have been sent.

We would therefore pray your Excellency to take such means as to your Excellency may seem proper for the purpose of obtaining information on the subject of a new and permanent division of the Province, as well as relating to the measures which may be necessary to provide for the increased duties of the Courts of Justice that may result from such new division; and that your Excellency would be pleased to cause the same to be communicated to the Legislature at the next session of the Provincial Parliament.

On motion made and seconded; it was,

Ordered, that a copy of the last mentioned address be sent to the Commons House of Assembly, by the Master in Chancery, for their concurrence.

A copy 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 incorporate sundry persons under the style and title of the President and Directors of the Upper Canada Life Insurance and Trust Company."

U. C. Life Insurance corporation bill, recommitted.

The Honorable Mr. Markland took the Chair.

After some time the House resumed.

The Honorable and Venerable the Archdeacon of York enters.

A Member enters.

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 tomorrow.

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 Adam Dixon of Moutinelt, in the Township of Cornwall, certain privileges contained therein."

Dixon's privilege 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 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;

Ordered, that the report be received; and,

Ordered, that the last mentioned 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 Messrs. Elmsley and Hamilton, do compose the Committee for that purpose.

Members composing same.

Friday, 3rd April, 1835.

FIRST SESSION TWELFTH PROVINCIAL PARLIAMENT, 5th WILLIAM IV.

Absconding Debtors
continuation bill,
recommitted.

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 continue the Law for attaching the property of absconding Debtors."

The Honorable Mr. Dickson 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 tomorrow.

Contingency covering
bill, recommitted.

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 make good certain monies advanced for the contingent expenses of the last Session of the Legislature of this Province; and also to make good certain monies advanced in compliance with an address of the House of Assembly during the present Session."

The Honorable Mr. Hamilton 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 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 Tuesday next.

Motion for an address
to His Excellency,
requesting an advance
of money, sufficient
for defraying the ex-
pense incurred in fur-
nishing the Legislative
Council Chamber.

Pursuant to notice, the Honorable Mr. McDonell moved, that an address be presented to His Excellency the Lieutenant Governor, requesting His Excellency to advance to this House the sum necessary for reimbursing the Committee of this House the expense incurred by them in furnishing the apartments for the use of the Legislative Council, and in making sundry alterations and improvements in that part of the Parliament Buildings appropriated to their use, which being seconded,

Question put and
carried;

The question of concurrence was put, and it was carried in the affirmative; and,

And the address
passed.

An address to His Excellency the Lieutenant Governor passed as follows:

To His Excellency SIR JOHN COLBORNE, Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY :

The address.

We, His Majesty's dutiful and loyal Subjects, the Legislative Council of the Province of Upper Canada, in Provincial Parliament assembled, respectfully request that Your Excellency will be pleased to advance to this House, the sum necessary for reimbursing the Committee of this House the expense incurred by them in furnishing the apartments for the use of the Legislative Council, and in making sundry alterations and improvements in that part of the Parliament Buildings appropriated to their use.

On motion made and seconded, it was,

Committee appointed
to present same.
Contested election
commission repeal
bill, read second time.

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

Pursuant to the order of the day, the bill entitled, "An Act to repeal the Law authorising the appointment of a Commission to take evidence relative to the trial of contested elections," was read a second time.

Hawkesbury Town-
ship 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 divide the Township of Hawkesbury, in the Ottawa District, into two separate Townships, of East and West Hawkesbury."

The Honorable Mr. Hamilton took the Chair.

After some time the House resumed.

Reported;

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,

And the bill 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,

Saturday, 4th April, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

Ordered, that the Honorable Messieurs Elmsley and Crooks do compose the Committee for that purpose. Members composing it.

Pursuant to the order of the day, the petition of the Office-bearers of the Toronto Mechanic's Institute, praying for an Act granting a sum of money for the purchase of apparatus for the use of the said Institution: also the petition of Joseph Turton, of the City of Toronto, praying for relief in the premises; also the petition of John Clark, Chairman of the Court of Quarter Sessions for the District of Niagara, praying for an Act authorising that the Revenue arising from Licenses to Inn-keepers may be placed at the disposal of the Quarter Sessions of each District, for the improvement of Roads, &c. therein; and also the petition of Andrew Miller, and others, of the Town of Hamilton, praying for an Act to authorise the construction of a Dry Dock at or near the said Town of Hamilton, were severally read. Petitions of the Office-bearers of the Toronto Mechanic's Institute; Of Joseph Turton; Of John Clark; And of Andrew Miller, and others, read.

The Honorable Mr. Burnham, from the Select Committee to whom was referred the bill entitled, "An Act to provide for a survey in the Township of Loughborough," presented their report. Report of the select committee upon Loughborough's survey 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 a Survey of the Township of Loughborough," beg leave to report;

That it appears that a certain curve exists in the Concession lines numbered one, two, three, four and five, in that Township, but as your Committee cannot ascertain at the Surveyor Generals' Office whether the base line has a corresponding curve, your Committee do not think it safe to recommend the bill at present. The report.

Your Committee beg leave further to report, that it has been represented to them that the petitioners are willing to pay the expense of the Survey, and that the bill contains no clause to that effect.

All which is respectfully submitted.

(Signed) **Z. BURNHAM.**
CHAIRMAN.

*Legislative Council Committee Room,
Second day of April, 1835.*

On motion made and seconded it was,

Ordered, that the last mentioned bill, and the report of the Select Committee thereon, be committed to a Committee of the whole House tomorrow.

On motion made and seconded, the House adjourned until tomorrow, at eleven of the clock A. M. House adjourns.

SATURDAY, 4th APRIL, 1835.

The House met pursuant to adjournment. House meets,

PRESENT:

<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> McDONELL,	
<i>The Honorable Messrs.</i> CLARK,	" " BURNHAM,	
" " DICKSON,	" " ELMSLEY,	
" " CROOKSHANK,	" " BALDWIN,	
<i>The Hon. & Ven. The</i> ARCHDEACON OF YORK,	" " HAMILTON,	
<i>The Honorable Messrs.</i> MARKLAND,	" " CROOKS,	
" " DUNN,		

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 entitled, "An Act to reduce to one Act of Parliament the several Laws relative to the appointment and duties of Township Officers in this Province," and the report of the Select Committee thereon. Township Officers appointment bill, and the report thereon, recommitted.

The Honorable Mr. Elmsley took the Chair.

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

Saturday, 4th April, 1835.

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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.

Township Officers appointment bill, and the report thereon, recommitted.

The House was then again put into a Committee of the whole upon the bill entitled, "An Act to reduce to one Act of Parliament the several laws relative to the appointment and duties of Township Officers in this Province," and 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.

Amendments to Cayuga glass company's corporation bill, received by the Assembly.

A Deputation from the Commons House of Assembly returned the bill entitled, "An Act for incorporating certain persons therein named, and their associates, under the style and title of the Cayuga Glass 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 the same, and then withdrew.

Township Officers appointment bill, and the report thereon, recommitted.

The House was then again put into a Committee of the whole upon the bill entitled "An Act to reduce to one Act of Parliament the several laws relative to the appointment and duties of Township Officers in this Province," and the report of the Select Committee thereon.

The Honorable Mr. Elmsley 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 of the Select Committee 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.

Speaker reports the receipt of Norwich survey Commissioners bill;

His Honor the Speaker reported to the House that a Deputation from the Commons House of Assembly had brought up a bill entitled, "An Act to appoint Commissioners to settle disputes respecting certain roads and lines in the Township of Norwich, in the District of London, and to establish the said lines and roads;" and also a bill entitled, "An Act authorising a loan to the President and Directors of the Desjardins Canal Company;" to which they requested the concurrence of this House.

Read first time.

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

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

Loughborough's survey bill and the report of the select committee thereon, recommitted.

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 in the Township of Loughborough," and the report of the Select Committee thereon.

The Honorable Mr. Burnham took the Chair.

After some time the House resumed.

House resumes.

Amendments to U. C. Life Insurance corporation bill, presented.

Pursuant to the order of the day, the Honorable Mr. Markland, from the Committee of the whole upon the bill entitled "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," reported the amendment made thereto; and,

Read first time.

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

The amendment.

After the last clause in the bill insert, "And be it further enacted by the authority aforesaid, that notwithstanding the privileges conferred upon the said Company, the Legislature may at any time hereafter make such addition to this Act, or such alteration in any of its provisions as they may think proper for affording just protection to the public; and also in case the period should not be prolonged, when the Company by the provisions of this Act is to cease and determine, to make such provision for winding up and settling its affairs as to them may seem just and proper."

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,

Additional amendment moved.

Moved, that the following clause be added as an additional amendment:

The amendment.

"And be it further enacted by the authority aforesaid, that for all losses of money held in trust, which the Capital Stock shall not be sufficient to satisfy, the Stockholders shall be responsible, in the same manner and to the same extent that trustees are now responsible in law or equity."

Adopted.

Which being seconded, the question of concurrence was put thereon, and it was carried in the affirmative; and it was,

Saturday, 4th April, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

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

Pursuant to the order of the day, the Honorable Mr. Dickson, from the Committee of the whole upon the bill entitled, "An Act to continue the law for attaching the property of absconding Debtors," reported the amendments made thereto. Amendments to absconding debtors' continuation bill, presented.

The same were then read by the Clerk, as follows: Read first time.

In the Title, Line 1.—After "continue" insert, "and amend."

In the Bill, Line 4.—After "continue" insert, "and amend."

Add to the Bill.—"And whereas it is necessary to make certain amendments in the said Act, and to remove doubts which have arisen respecting some of its provisions; Be it therefore enacted by the authority aforesaid, that from and after the passing of this Act it shall be lawful to grant an attachment in the manner provided by the first clause of the said Statute where a debt is sworn to as therein mentioned, notwithstanding the absconding or concealed debtor may not be indebted to an inhabitant of this Province." The amendments.

"And be it further enacted by the authority aforesaid, that the bond mentioned in the fourth clause of the said Statute shall be given to the Sheriff of the District in which the estate has been attached, and the penalty need not be more than double the amount of the value of the estate attached, and the condition of the bond may be so framed that whatever may be the amount of the several claims against the absconding debtor the bond shall be void upon the payment by the obligors, or any of them, of the value of the estate taken and seized; and the bond so given shall and may be put in suit by the Sheriff for the benefit of any party entitled whenever the case may require it, and the amount collected thereon shall and may be retained in his hands, to be applied by him in the same manner as it would be his duty to apply the proceeds of the estate in respect of which the bond shall have been given."

"And be it further enacted and declared, that notwithstanding any thing contained in the said Act, any person who shall have commenced a suit against another by process, bailable or nonbailable, which process shall have been served before the suing out of any attachment against the same person as an absconding or concealed debtor, shall, notwithstanding the subsequent suing out of such attachment, be allowed to proceed in the ordinary manner to judgment and execution, and in case of his obtaining execution before any person at whose suit the estate, real or personal, of such debtor shall have been attached, he shall be allowed the full advantage of his legal priority of execution, in the same manner as if the estate had not been attached, and were remaining in the possession of the Debtor; and in case the goods shall have been delivered up to the absconding or concealed Debtor, or his Agent, upon security, the Sheriff shall enforce the bond taken for his benefit, in the same manner as in the case of a Creditor suing out an attachment: Provided always, that the amount of costs incurred by the suing out and executing the attachment, or such portion thereof as the Court in which the cause is pending, or a Judge thereof, shall think reasonable shall be retained for the benefit of the person who has paid the same, or who is liable therefor, in consequence of his having taken out the attachment: And provided also, that nothing in this Act contained shall prevent the Court in which the action was brought and process served upon the person against whom an attachment or attachments shall afterwards issue, from setting aside the Judgment and Execution in such action as fraudulent, or staying proceedings therein, where such action shall appear to have been instituted or proceeded in by collusion with the Debtor,

Saturday, 4th April, 1835.

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or to have been otherwise fraudulently brought for the purpose of defeating the claims of others."

"And be it further enacted by the authority aforesaid, that upon the trial of any action against an absconding or concealed Debtor, it shall be lawful for any other person, who shall before such trial have sued out an attachment, to contest the Plaintiff's demand in the same manner as the Defendant might, and to call evidence to disprove the same, or to establish a set off: Provided he shall have given notice of such set off fifteen days exclusive before the trial."

"And be it further enacted by the authority aforesaid, that where several attachments shall be placed in the Sheriff's hands against the same absconding or concealed Debtor, the proceeds of the Estate which shall have been attached shall not be paid over to such attaching Creditor or Creditors, according to priority, but they shall be ratably distributed among such of the Creditors suing out the said attachments, as shall obtain judgment against the Debtor, in proportion to the amount of the sums really due upon such judgments, and no distribution shall take place until reasonable time, in the opinion of the Court, has been allowed for the several Creditors to proceed to judgment: Provided always, that when the Estate shall not be sufficient to satisfy the claims of all the attaching Creditors none shall be allowed to share unless he shall have sued out his attachment and placed it in the hands of the Sheriff, within six months from the issuing of the first Writ of Attachment."

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,

Moved, that the following clause be added as an additional amendment:

"And be it further enacted by the authority aforesaid, that before execution shall be taken out in any action brought against an absconding or concealed Debtor the Plaintiff shall make and file an affidavit, which shall be kept among the papers in the cause, in which he shall swear, that to the best of his knowledge and belief the sum which has been allowed to him by the Jury is justly and truly due to him by the Defendant, and that he has given credit for all payments made to him by the Defendant, and for every demand which the Defendant could rightly make against him; or, if the Plaintiff shall in his affidavit acknowledge that the sum actually due to him is less than that which the Jury have awarded, then the Execution shall be endorsed accordingly, and no more shall be levied for the Plaintiff than is admitted to be due: Provided always, that if the affidavit of the Plaintiff cannot be obtained in due time, by reason of his foreign residence, or from any other reason which shall be assigned, then an affidavit to the effect above mentioned may be received from the Attorney or Agent of such Plaintiff."

Which being seconded, the question of concurrence was put thereon, and it was carried in the affirmative; and it was,

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

Pursuant to the order of the day, the bill entitled, "An Act to promote the freedom, peace and quiet of Elections of Members to represent the several Counties, Ridings, Cities and Towns in this Province, in the House of Assembly, and further and more effectually to secure the independence of that House, by adopting the mode of voting by ballot," was read a second time; and it was,

Ordered, that the House be put into a Committee of the whole this day three months, to take the same into consideration.

Read second time and adopted.

Additional amendment moved.

The amendment.

Adopted.

Election ballot voting bill, read second time.

Ordered for committee in three months.

Saturday, 4th April, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

The Honorable Mr. McDonell, from the Select Committee to whom was again referred the bill entitled, "An Act to authorise a new survey in the Township of King," presented their further report.

Second Report of the Select Committee upon King's Township survey bill, presented.

Ordered, that it be received; and,

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

Read.

The Select Committee to whom the bill entitled, "An Act to authorise a new survey in the Township of King," was again referred, beg leave to report:

That they have had the Surveyor General before them, by whom they were informed, that the line between the eighth and ninth Concessions of that Township had never been completely run, and that it is necessary that a new survey be ordered, to secure the inhabitants of both Concessions in their respective possessions.

The report.

The Committee also beg leave to report, that notice was given that the petitioners would apply to the Legislature for the said new survey, on the twenty-sixth day of July, one thousand eight hundred and thirty-four.

All which is respectfully submitted to Your Honorable House.

*Committee Room of the Legislative Council,
4th day of April, 1835.*

On motion made and seconded, it was,

Ordered, that the last mentioned bill and the reports of the Select Committee thereon be committed to a Committee of the whole House on Monday next.

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

Messages from His Excellency the Lieutenant Governor.

J. COLBORNE,

The Lieutenant Governor transmits to the Legislative Council, the accompanying report of the Commissioners appointed to superintend the construction of a Harbour at the mouth of Kettle Creek.

Transmitting a report of the Kettle Creek Harbor Commissioners.

*Government House,
4th April, 1835.*

J. COLBORNE,

The Lieutenant Governor transmits to the Legislative Council the return of the Saint Lawrence Inland Marine Assurance Company for the year 1834.

Transmitting the return of the St. Lawrence Inland Marine Assurance Company.

*Government House,
4th April, 1835.*

J. COLBORNE,

The Lieutenant Governor transmits to the Legislative Council the accompanying report of the Commissioners appointed by an Act of the Provincial Parliament, for the erection of a Bridge over the Grand River at Brantford.

Transmitting a report of the Brantford Bridge Commissioners.

*Government House,
4th April, 1835.*

Ordered, that an address be presented to His Excellency the Lieutenant Governor, respectfully thanking him for his several Messages just received; and,

Address ordered to be presented, thanking His Excellency for his messages of to day.

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

Committee appointed therefor.

The Honorable and Venerable the Archdeacon of York, from the Select Committee to whom was again referred the bill entitled, "An Act for the disposal of the Clergy Reserves in this Province, for the purposes of general Education," presented their further report.

Second report upon Clergy Reserves sale 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 House of Assembly entitled, "An Act for the disposal of the Clergy Reserves in this Province for the purposes of general Education," with instructions to report upon the principles and details of the Bill, and also upon the provision made

The report.

Saturday, 4th April, 1835.

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by law for the support of Religion in this Province, as well as upon the questions which have arisen respecting it, and the measures which have been taken in England and in this Country in relation to the same, have examined into the matters referred to them, and have agreed upon the following Report, which they trust may serve to bring the subject under the view of your Honorable House in its several bearings, and in a connected manner :

When the Country which now constitutes the Provinces of Upper and Lower Canada, became part of the dominions of the British Crown, it contained a population of about 65,000 inhabitants, lately subjects of the French King, among whom the Roman Catholic Religion exclusively prevailed. An Ecclesiastical establishment with Priests, Curates and Missionaries, probably adequate in number to the religious care and instruction of the community, had existed under the protection of the French Government, supported by tithes, and by large endowments of real property derived from the Crown. In the articles of capitulation a very earnest and zealous desire was shewn by the French commander to guard the integrity of this provision, and to secure its perpetual continuance under the change of circumstances which the Colony was about to undergo, and to that end it was stipulated in the 27th and 34th articles of the capitulation, "that the people should be obliged by the English Government to pay to the Priests the tithes they had been used to pay under the Government of the French King; and that all the religious communities, and the Priests, should preserve the property and revenues of the Seigniorics, and other estates which they possessed in the Colony, and that the same estates should be preserved in their privileges, rights, tenures and exemptions."

In the year 1774, when His Majesty and the British Parliament were making provision for the better government of the Province of Quebec, a just sense was shewn of the obligation to maintain, for the benefit of these Roman Catholic subjects of the Crown, the provision which had been made among them for the support of religion and the maintenance of public worship, for in the fifth and sixth sections of the Statute 14 Geo. 3. Ch. 83. it is expressly enacted, that the Clergy of the Church of Rome in the Province of Quebec "may hold, receive and enjoy, their accustomed dues and rights with respect to such persons only as shall profess the said religion:" and with due regard to the interest of his Protestant subjects, it was further enacted, "that it should be lawful for His Majesty, his Heirs or Successors, to make such provision out of the rest of the said accustomed dues and rights for the encouragement of the Protestant religion, and for the maintenance and support of a Protestant Clergy within the said Province, as should from time to time be thought necessary and expedient."

In the year 1791, His late Majesty King George the Third, whose memory will ever be revered in this Colony, deemed it expedient to divide the Province of Quebec into two separate Provinces, to be called Upper and Lower Canada; and in the Royal message sent to Parliament for the purpose of recommending the enactment of the necessary provisions for the good government of the said Provinces, His Majesty was pleased to express his desire "to be enabled to make a permanent appropriation of lands for the due and sufficient support and maintenance of a Protestant Clergy within the said Provinces, in proportion to such increase as might happen in the population and cultivation thereof."

By this time (1791) a considerable number of persons of British origin had settled in Canada; and it may be observed in how much more express and particular a manner the intention to provide for the support of the Protestant religion is announced in this Act, than it had been in the one which was passed in 1774. In that Statute the principal object of attention evidently was to guard the rights of those who instructed the people in the prevailing religion, by giving the sanction of the law of England to the exaction of those tithes and dues, which had been yielded to the Clergy under the French government. It was deemed equitable to exempt from the payment of them such British subjects as were not members of the Roman Catholic Church; and inasmuch as from them no tithes were to be demanded by the Clergy of the Church of Rome, it was enacted, that out of the *rest of the said* accustomed dues and rights, that is, out of those tithes or dues payable by Protestants, and therefore not to be received by the Roman Catholic Clergy, His Majesty might make provision for the maintenance and support of a Protestant Clergy. Instead of this provision, burthensome in its nature and not certain to be sufficiently productive for the maintenance of a Clergy among

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a widely dispersed population, the Act of 1791 made a much more just, adequate, and satisfactory provision by the allotment of lands in the proportion therein specified. His Majesty had, as we have already noticed, desired in his message to Parliament "that such appropriation should be permanent, and such as might best conduce to the due and sufficient support "of a Protestant Clergy in proportion to such increase as might happen in the population," and Parliament in this Statute which they passed, declared their resolution of "fulfilling effectually His Majesty's gracious intentions, and of providing for the *due execution of the same in "all time to come."*

In a series of clauses* forming a great portion of that Statute from which we derive our Constitution and form of Government, direction is given to set apart such allotments of land in this Province as should be equal to one-seventh part of the quantity of land granted by His Majesty. The most scrupulous care is taken to ensure the appropriation being made, and it is expressly declared, "that all and every the rents, profits or emoluments which may at any "time arise from such lands so allotted and appropriated as aforesaid, shall be applicable "solely to the maintenance and support of a Protestant Clergy within the Province, in which "the same shall be situated, and to no other use or purpose whatever."

Particular provisions are next made respecting the erection of Parishes, and the presentation of Incumbents; and it is then enacted, that the several provisions in the Statute respecting the allotment and appropriation of lands for the support of a Protestant Clergy, and also respecting the constituting, erecting and endowing Parsonages or Rectories, and the presentation of Incumbents or Ministers to the same, and the manner in which such Incumbents or Ministers shall hold and enjoy the same, shall be subject to be varied or repealed by any express provision for that purpose, contained in any Act or Acts which may be passed by the Legislative Council and Assembly of this Province, and assented to by His Majesty: Provided that no Act, for any of these purposes, shall be assented to by His Majesty, until thirty days after it shall have been laid before both Houses of Parliament in Great Britain; nor shall it be assented to, if within thirty days, either House of Parliament shall address His Majesty to withhold his assent therefrom.

These are, in substance, the provisions by which public support is ensured for the maintenance of the Protestant Religion in this Province. It will be remarked, that they are framed with great care and circumspection, and with an evident desire that the provision should be permanent, and commensurate with the growing wants of the population. Different opinions, as your Committee is aware, have been entertained respecting the power over this provision given to the Provincial Legislature by the 41st Section of the Act; some persons conceiving that it extends only to the repeal of those Clauses of the British Statute which authorise allotments of land to be made, after which repeal any further appropriation of lands, for the objects specified, would from thenceforth cease; while others maintain that it enables the Provincial Legislature not merely to interfere prospectively, but to repeal and undo as it were, the effect and past operation of the British Statute, or, in other words, to abolish, at any time, whatever endowment might be in existence in consequence of the executed provisions of the Act, and thus to leave Religion totally and absolutely without public support in the Colony. Your Committee merely advert to the doubt which has been raised on this point, and express no opinion upon it. It becomes the less material to determine which construction is proper, when it is considered that no Act passed by this Legislature affecting the Reserves in any manner can have the force of Law, unless it meets with the approbation of every branch of the Imperial Parliament.

The earnest attention with which the Sovereign and Parliament of Great Britain desired to secure an adequate support for a Protestant Clergy within this Colony, is especially worthy of remark, when it is remembered, that in the period which intervened between the passing of the Statute 14 Geo. 3, and the Statute in question, a vast change had taken place in regard to the dominions of the Crown on this continent. A revolution had, in that interval, deprived Great Britain of Colonial possessions more extensive and valuable than can ever again be acquired by any Nation in the world. From various causes, and perhaps chiefly

* For these clauses of the British Statute 31 Geo. 3. Chap. 31. see Appendix A.

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from the peculiar circumstances under which the most considerable of these Colonies had first been settled, it had happened that the Parent State had abstained from laying in any of them, the foundations of an Ecclesiastical establishment: besides therefore, the experience on the one hand of the effect which the maintenance of a resident and regular Clergy had upon the interests and happiness of the United Kingdom, His Majesty and the British Parliament had the opportunity on the other hand, of judging from recent events, how far the neglecting to make any such provision among a people was likely to prove consistent with the stability of Government, and with a sound moral and religious condition of society.

The result of a mature consideration of the subject seems to have led the King and his Parliament to the resolution of making an adequate provision for the support of Religion, and to protect that provision with scrupulous care.

At the time this foundation was laid, Upper Canada was supposed to contain 10,000 inhabitants, chiefly of British descent; the population at present is, probably not less than 350,000, a small proportion of which is contained in Towns and Villages, and the remainder dispersed over a country not less in extent than England and Wales, and inhabiting about 300 Townships or tracts of land, each of which is nearly ten miles square. Allotments of land, called Clergy Reserves, have been regularly set apart since the passing of the Statute, in proportion as grants of land have been made to individuals, and these Reserves have been usually distributed through the Townships, in lots of 200 acres each. For many years these lands produced little revenue, there being no power to alienate them, even if a suitable price could have been obtained; and so long as the Crown was in the course of making Grants in fee simple, many of them gratuitously, and others on the payment of a moderate fee, to almost every one who applied for them, it was not to be expected that a considerable revenue could be obtained from rents of uncleared lands.

The fact is, that although a considerable number of lots were leased, the rents were very trifling, and were irregularly paid; and the few Clergy of the Church of England who were stationed in the Province, were indebted to the Society for Propagating the Gospel in Foreign Parts, for their support.

Things were in this state until some time between the years 1819 and 1821, or nearly thirty years after the passing of the Statute, when, for the first time, as your Committee believe, a question was raised respecting the proper legal construction of the Act, and the intention of the Parliament in passing it; and it was in this manner that the question arose. The 39th section of that Statute, it will be perceived, is very explicit and comprehensive in regard to the rights which an Incumbent shall possess upon being inducted into a Rectory or Parish in Upper Canada, when any shall be erected. The Legislature of the Province seemed clearly to apprehend that it could not have been intended that tithes should be demandable, considering the provision which Parliament had made for supporting a Protestant Clergy, by an appropriation of lands, and conceiving that an explicit declaration to this effect ought to precede any measure for dividing the Province into Parishes, a short Act was brought into the Legislature for that purpose, which passed the two Houses, but being necessarily reserved for the assent of His Majesty, it failed to receive attention in England, until the limited period of two years had elapsed, and it could not therefore become a law. In the year 1821, a similar bill was passed, which being sent to England, was assented to in 1823, and is printed in our Statute Book, page 602.*

This bill met with no opposition that we are aware of, and excited little or no discussion; its object, obviously, was just and reasonable; no imagination that a claim to tithes would ever be advanced by a Clergyman of the Church of England in this Province, had probably entered into the minds of any one; and it was from extreme caution, and most probably from a desire to remove any obstacle that might seem to exist to the erection of Parishes, that the suggestion of such an enactment arose.

During the little attention to the subject of the Clergy Reserves, however, which the pendency of this Bill excited, an opinion was advanced that the words "a Protestant Clergy," used in the 31 Geo. 3, were applicable to the Clergy of the Church of Scotland as well as of the Church of England, and that *that* Church being established in one portion of the United

* See copy of this Act, Appendix B.

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Kingdom, the right of her Clergy to be supported from the Reserves was apparent on the Statute, and was also capable of being supported, under the articles for the union of the two Kingdoms.

This claim, on the part of the Church of Scotland, was from that period advanced and persevered in: the arguments in favor of it, and those in opposition, have been from time to time placed before his Majesty's Government in various shapes; but up to this time, as the Committee apprehend, no decision of the question has been pronounced by any judicial authority, nor any definite measure taken in consequence.

In this country, where the first conception of such a claim seems to have originated, it is manifest it could not be finally decided, and therefore it is, perhaps, unfortunate that it should have been agitated here, since the discussion has hitherto led to no decisive result, and has been injurious, in no small degree, to the public interests and tranquillity. It soon led the way to less definite pretensions, and to claims which have depended for their support rather upon the feelings which could be excited by a course of industrious agitation, than upon any reasonable construction or constitutional principle. In a short time after a claim was put forward on behalf of the Church of Scotland, it began to be asserted that the term "a Protestant Clergy" might, in law, and ought in equity, to receive such a construction as would comprehend the ministers of every denomination of Protestants, of which denominations there are in this Province at present many varieties, and to these, many more may from time to time be added. A claim, however, to have the Reserves, or their proceeds, distributed among the several sects has not been strenuously pressed, perhaps from the conviction, that such a measure must obviously fail in affording an adequate support for Christianity in any form; or, perhaps, from a consideration of the never ending jealousies and contests to which the attempt at a proportionate distribution must give rise.

In 1827, his Majesty's Government proposed and procured from Parliament, an Act authorising the sale, annually, of a limited portion of the Clergy Reserves, not to exceed in any year 100,000 acres, nor more in the whole than one-fourth of all the lands reserved.*

In this Act Parliament gave no evidence of any change of intention, in regard to the principles declared in the Statute 31 Geo. 3; on the contrary the proceeds of the sales are expressly directed to be applied "either for the improvement of the remaining part of the said Clergy Reserves, or otherwise, for the purposes for which the said lands were so reserved as aforesaid, and for no other purpose whatsoever." Thus any doubt which may have arisen upon the construction of the former Statute, 31 Geo. 3. was not cleared up when Parliament were again legislating upon the subject, nor was the legal effect of that Statute in any respect changed. The objects of this recent Statute seem to have been, to render a portion of the Reserves more immediately available for the support of Clergymen, by raising a fund to be applied in clearing and improving them; to diminish the pretence for complaining that the Reserves obstructed the settlement of the country, by providing for their gradual alienation; and to enable the Crown to change any of the Reserves for other lands either belonging to the Government or to individuals, when such an exchange might seem desirable for any purpose.

In 1828, the petitions and complaints proceeding from the adjoining Province of Lower Canada, and the difficulties which had occurred there, occasioned the affairs and interests of that Province to be brought under the consideration of the House of Commons; and in the course of an inquiry, conducted by a Committee of that House, the subject of the Clergy Reserves was examined and considered with reference to both these Provinces. The Attorney General, Solicitor General, and Advocate General, of England, had, as it appears, been called upon in 1819, to give an opinion on the proper construction of the 31 Geo. 3. in regard to the words "Protestant Clergy," and it will be seen from their opinion, which we subjoin in the Appendix, † that in their judgment, the Church of England alone could be endowed with any portion of the lands; that pecuniary assistance, however, might be contributed to the support of the Clergy of the Church of Scotland out of the rents or profits of the Reserves, in the discretion, as they apprehended, of the Colonial Government; and that dissenting Ministers, not

* See Appendix C.

† Appendix D.

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belonging to either of the national religious establishments, did not come within the term "*Protestant Clergy*," and could not therefore participate in the provision.

The Committee of the House of Commons having this opinion of the Crown Officers before them, declined expressing their own in regard to the proper legal construction of the Act ; but, without defining what sense they give to the term "*Clergy*," they seemed inclined to consider that the Church of England alone was intended to be endowed with lands ; but, with respect to the proceeds of the reserved lands, generally, the Government might apply the money, if they so thought fit, to any "*Protestant Clergy*."

The learned Counsel for the Colonial Department, Mr. Stephen, on his examination before the Committee, seems to have taken a middle course between the Crown Officers and the Committee, giving it as his opinion, that no Clergy but those of England and Scotland can participate either in the Reserves or in the proceeds of them, but that in respect to the lands themselves, although the Clergy of the Church of England alone could receive endowments of any portion of them as parochial Ministers, yet the Crown might authorise a part of them to be appropriated in perpetuity to the *sustentation of Clergymen of the Church of Scotland*. Thus, upon the occasion when this provision was most openly and minutely discussed in England, any doubts which had arisen upon the construction of the Statute were so far from being satisfactorily disposed of, that the Crown Officers, and the learned Counsel for the Colonial Department, while they agreed in some respects, differed in others ; and the Committee, having their opinions before them, declined the attempt to dispose of the question as a legal question, but express sentiments as to the intention of Parliament, which are not in accordance with either.

The Report of this Committee, however, independently of the general and inconclusive terms in which their views are expressed,* could for no purpose be properly appealed to as decisive of the questions which had arisen, since the Members of that Committee formed but a portion, and a small portion, of one branch of the Legislature, and even in that House from which they were delegated, no vote of concurrence in the report was ever taken or proposed, that your Committee is aware of ; nor does the report seem to have been deliberately and expressly brought into discussion in either House, in any Parliamentary proceeding. The Committee in their report, indeed, "earnestly press the early consideration of the subject of "the Reserves upon his Majesty's Government, with the view to an adjustment that might "be satisfactory to the Province." but unfortunately at this distance of time, seven years nearly having elapsed since their report, the whole matter remains in the same state as at the time of their making this recommendation.

In 1831, the Legislative Council of this Province, feeling much anxiety for the speedy and certain adjustment of a matter so deeply interesting in its nature, united in an address to His Majesty, of which a copy is subjoined, and in which the sentiments of the Council, in regard to this important subject, are distinctly expressed.†

That address does not appear to have engaged the consideration of His Majesty's Government, at least, your Committee are not aware that it has been acknowledged or adverted to in any communication from the Colonial department. It may, nevertheless, have contributed, with representations from other quarters, to call the attention of the Government to a subject which appears to have occupied much of their thoughts. The result of the further consideration bestowed by His Majesty's Government upon it was communicated to the Legislature by His Excellency the Lieutenant Governor, in 1832, in a message in which it will be perceived, that His Majesty's Government "invites the Legislature to consider how the "powers given to them by the Statute (31 Geo. 3. Chap. 31.) to vary or repeal its provisions, "in respect to the support of a Protestant Clergy, can be called into exercise most advantageously for the spiritual and temporal interests of His Majesty's faithful subjects in this "Province." The Legislature were further put in possession of the views and desire of His Majesty's Government in more definite terms, for in the House of Assembly a bill was introduced by the Attorney General, as appears by the Journals, the principal object of which was to vest the Clergy Reserves in His Majesty, discharged from all trusts that had been created by the Statute 31 Geo. 3. The message, with the draft of this bill, were printed by order of

* See Report of Committee, Appendix E.

† Appendix F.

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the House of Assembly, and a copy is subjoined to this Report.* The bill was merely introduced into the Assembly in that Session, and was no further proceeded in. In the following Session of 1832-3, the same bill seems to have been again introduced into the Assembly by the Attorney General, when it was read the first time, and moved in no further.

In 1834, a Bill similar to that which has been submitted to your Committee to be reported upon was brought into the Assembly. Its object is distinctly in opposition to that which had been introduced by the Attorney General, in conformity to the wishes expressed by His Majesty's Government; for instead of providing that the Clergy Reserves should be vested in His Majesty, discharged of all trusts, in which case His Majesty could make such disposition of them as might seem expedient, either for the support of religion, or for any other purpose,—the object of the bill introduced in 1834, was to enable certain Commissioners nominated by the Assembly to sell the Clergy Reserves, and to pay over the proceeds to the Receiver General, to be disposed of for the promotion of Education, under the direction of the Legislature, and for no other purpose.

Your Committee need scarcely recall to the recollection of your Honorable House that a bill, the same in substance, was passed by the Assembly in 1830, and rejected by the Legislative Council. In 1834, when it was again introduced into the Assembly, as we have just stated, the opportunity was resorted to, as appears by the Journals of the Assembly, of taking the sense of that House in regard to the measure that had been proposed under the sanction of the Government in the year 1832. An exact transcript of that bill was moved to be substituted, by way of amendment, in the place of the one introduced, but it was rejected, as it appears, by a vote of twenty-seven to seven, and the measure recommended by the Government being thus negatived, the original bill, similar to that which has been referred to your Committee, was proceeded in, and passed by the Assembly, but it was rejected by the Legislative Council, as it had been in 1830.

No measure has at any time originated in the Legislative Council in consequence of the message of his Excellency the Lieutenant Governor in 1832; nor has any occasion arisen for taking the sense of the Legislative Council in regard to such an enactment as is understood to have been recommended by his Majesty's Government.

Your Committee having thus endeavoured to bring under view the facts and measures which have preceded the introduction of the bill now referred to them, beg leave next to report upon the objects and provisions of that bill, † which they have carefully examined; and before adverting to the principles and details, your Committee think it not immaterial to remark, in respect to the grounds and reasons set forth in the preamble as the inducement to passing the Act:

- 1st. That in reciting the provisions of the 31 Geo. 3. chap. 31, it is not set forth that his Majesty's message to Parliament expressly proposed a *permanent* provision for the support of religion, which message is recited in the Act, and that it is expressly avowed in the thirty-sixth clause "to be the intention of Parliament to fulfil his Majesty's gracious intentions, and to *provide for the due execution of the same, in all time to come.*"
- 2dly. That it is alleged, "that the Bishop and Clergy of the Church of England pretend, contrary to the spirit and meaning of the Act, to have an exclusive right to the Reserves, and to the rents, &c. arising from them;" for which allegation, though it would seem to imply the setting up an unexpected and unreasonable claim on the part of the Church of England, it must in justice be stated that there is no other ground, than that when a claim was for the first time advanced on the part of one or more Churches to share in the provision, nearly thirty years after the Statute was passed, the Church of England endeavoured to resist the efforts made to lessen or deprive her of

* Appendix G.

† Appendix H.

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the endowment, and, acting on the defensive, has contended for that construction of the Act, which up to that time, so far as we are aware, was never publicly called in question. Your Committee states these facts, without prejudice to the claim of any other Church.

3dly. That it is stated, "that notwithstanding such pretensions of the Church of England, and the liberal pecuniary aid annually enjoyed by the Ministers thereof, from a benevolent society in England, the number of that Church is small, when compared to the number of some other sects of Protestants in this Province." In regard to this allegation your Committee have to remark in the first place, that the aid formerly enjoyed from the benevolent society alluded to, however liberal in proportion to their resources, clearly must have been, and always was, very inadequate to the supply of a resident Clergy throughout this extensive colony; and inadequate as it necessarily was, it has recently been withdrawn,* and withdrawn too, as your Committee find, in consequence of the hope held out by his Excellency the Lieutenant Governor of this Province, that an equal sum might soon be derived from the very provision which it is the object of this bill to repeal: and in the next place, your Committee cannot express their concurrence in the statement, that the number of members of the Church of England in this Province is exceedingly small, when compared to the number of many other sects of Protestants; because your Committee are confident in the opinion, that the members of the Church of England, in Upper Canada, form a very numerous body dispersed generally over the country, and without desiring to speak disparagingly of any other Church, they will add, that the language used in this part of the preamble is calculated to convey a very erroneous impression in regard to the actual state of the Church of England in this Colony, which when her numbers were very much smaller was never spoken of, until the design began to be entertained of depriving her of the provision in question.

UPON THE GENERAL OBJECTS OF THE BILL, your Committee beg to observe, *first*, that this measure is intended expressly and avowedly to abolish totally the provision made by the 31 Geo. 3. for the support of the Protestant religion in Upper Canada, without proposing to substitute in its place any other provision for the same object, to any extent. 2dly. That in proceeding to carry this intention into full execution, the bill provides for appropriating the proceeds of sales made under the authority of the Imperial Statute, passed in 1827, although the manner in which they shall be disposed of is expressly declared in that Statute. In this respect the bill assumes directly to overrule the enactments of Parliament.

Upon the reasons given in the bill for this total abolition of the provision made by law for the support of the Protestant religion, your Committee offer no remark, and they forbear from intruding upon your Honorable House any arguments of their own upon a question involving principles of so extensive and important a character, that it is impossible the considerations attending it can fail to present themselves upon a general discussion of the measure.

Your Committee, therefore, proceed in the next place to remark upon the *details* of the Bill, by which it is proposed that this object shall be accomplished, and upon these they beg leave to state:

1st. That although it might seem a reasonable consequence of repealing the enactments under which the Clergy Reserves are appropriated, that those Reserves should revert to His Majesty, upon whose gracious suggestion they had hitherto been set apart for so indispensable a purpose as the mainten-

* See Appendix I.

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ance of Religion, and that they should remain from henceforth at the disposal of His Majesty, with other lands of the Crown; yet this Bill proposes a very different method of dealing with them, and provides that instead of being granted as His Majesty may think fit, they shall be sold as the Legislature may direct, for purposes which they shall appoint, and by Commissioners whom they have nominated; and no direction is given for an account to be rendered to His Majesty, through the Lords of the Treasury, of the receipt and expenditure of the monies, as is usual in regard to all other public monies received and expended in the Colonies.

- 2nd. That the whole of the Reserves may be sold in four years by the Commissioners, at whatever price they may be willing to accept for them.
- 3d. That the Commissioners are all named by the Assembly, one being selected for each District, twelve in all: that of these twelve, six are members of the Assembly, and five are persons who were formerly in the Assembly, but none are members of the Legislative Council, or serving in any department of the Executive Government.
- 4th. That it is provided, that the *House of Assembly* may, after the Act is passed, at any Session of the Legislature, appoint, by vote of the House, any person to be Commissioner instead of any Commissioner named in the Act; a provision which appears to your Committee to be so extraordinary, that it cannot be necessary to enlarge upon it.
- 5th. That upon the sales which the Commissioners shall make of them, the Government are to issue patents free of any cost, though no provision is made for meeting the charge of preparing those patents, and though the Government is to have no control over the proceeds of those sales.
- 6th. That each Commissioner is to give security in £1000, and to have authority to receive all the monies paid for Reserves sold in his District, of which there are some so valuable that three or four lots would produce a sum larger than the whole extent of the security.
- 7th. That the monies are to be disposed of by the Legislature, for the support and promotion of Education, and to no other purpose whatever, it being clearly stated in the bill that the education spoken of is not to include religious instruction or public worship through the ministry of any clergy supported by this fund; and it is worthy of remark, that this measure is introduced after the Legislature have been for three years entrusted by the voluntary surrender of the Crown, with the management of very large tracts of land formerly set apart expressly for the maintenance of Schools, in the course of which three years not one step has been taken, nor any measure proposed for the concurrence of the Legislative Council, for turning that liberal endowment to account.

Upon these provisions of the Bill, your Committee do not think it necessary to enter into any particular discussion; they are merely pointed out to the attention of your Honorable House: and your Committee omit to remark upon many minor points in the details, which struck them as obviously unadvisable or improper, thinking them of slight importance, in comparison with the objections which appear to your Committee to exist against the general principles and scope of the Bill.

Your Committee have already stated that it was not their intention to enter upon a discussion, or even upon a statement of the arguments which have been used or may be used, for or against the claim of right advanced by the Church of Scotland, or in behalf of any other denomination of Christians; and for the same reasons for which they have omitted this, they have avoided also engaging in any discussion of the reasons for or against the maintenance of a Religious Establishment, whether those reasons are of general application, or such as may be deduced from the present condition and future prospects of this Colony. All these considerations are too important to be in their nature overlooked, and before the question now

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pending can be finally decided by the only competent authorities, namely, the King and Parliament of Great Britain, they must, and doubtless will be maturely weighed and wisely and justly disposed of. To show what has been done and attempted, for the purpose simply of presenting a connected view of facts and proceedings in relation to this interesting subject, has been the endeavour of the Committee; and the following summary, deduced from what they have related more at length, will perhaps tend to bring the whole matter more clearly in review.

From what the Committee have stated, it will be seen that His late Majesty King George the Third, having acquired the territory which now forms the Province of Upper Canada, gave immediate assurance of his protection and support to the prevailing Religion of the country, which he found established.

That Parliament, a few years after, (1774,) secured to the Clergy of that Religion, by Statute, the full enjoyment of their accustomed dues and rights, giving them the sanction of law for the exaction of tithes; that in the same Statute, the British Parliament declared their intention of providing for the encouragement of the Protestant Religion, and for the maintenance and support of a Protestant Clergy within the Province of Canada. That this intention was carried fully and effectually into execution, in the year 1791, when His Majesty called upon Parliament, by Royal Message, to concur with him in making a permanent appropriation of lands, in both the Provinces of Canada, for the maintenance and support of a Protestant Clergy, and when Parliament, in consequence of that Royal Message, declared their purpose of effectually fulfilling His Majesty's gracious intention, and of providing for the due execution of the same in all time to come, and proceeded by the Statute 31 Geo. 3. Chap. 31. to authorise the setting apart the allotments of land which form "the Clergy Reserves."

That the enactments contained in this Statute, for effecting this declared object of His Majesty and the British Parliament, have not to this time been altered by any subsequent Statute in any particular that can affect their legal operation; so that, in order to determine what right the Church of England or Church of Scotland, or any other religious community can legally claim in the Clergy Reserves or the proceeds of them, the question is still confined to the words of that Statute, aided by such helps to the construction of it as can properly be admitted from the circumstances under which the Statute was passed, the history of its passing, the evidence of contemporaneous construction, and the light in which its provisions have been found to be viewed, and the understanding with which they were carried into effect by those with whom it properly rested to place a construction upon the Statute, in Great Britain and in the Colony.

That about thirty years after the passing of the Act, questions were raised upon the object of its provisions; and the members of the Church of Scotland, in particular, advanced a claim to participate in the Reserves or their proceeds,—*first*, on the ground that that Church is included in the words of the Statute; and *secondly*, on the principle that, as a National Church she has a just claim to support, and ought to be considered as coming within the spirit and intention of the Statute, unless the words can be shown expressly to exclude her.

That not long after, application was made to the Legislature of the colony, and to the Government in England, on behalf of all other denominations of Protestants generally, setting forth a claim on their part to participate in the advantages of the Clergy Reserves, which claim, it is proper to mention, received the support of the House of Assembly:

That upon the claim of the Church of Scotland, or of any other religious community, grounded upon the legal operation of the Statute, no decision has yet been pronounced by any judicial authority empowered to determine the question:

That the Crown Officers in England have (in 1819) expressed a qualified opinion in favour of the Church of Scotland, as regards the discretion of the Government in allowing her to participate in the rents and proceeds of the Reserves, but not as regards the right of her Clergy to hold any portion of the same, in the nature of parochial endowments:

That the legal adviser of the Colonial Department has expressed an opinion, that the Church of Scotland may, if his Majesty thinks fit, have a portion of the lands set apart for the support of her Clergy; and may also, in the discretion of the Government, be allowed to share in the rents or proceeds of the land:

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That these legal advisers of the Government all concur in the opinion, that the term "*Protestant Clergy*" used in the Statute, cannot be extended to the Ministers or Preachers of any dissenting sect, not forming a church established by law :

That although the construction of this Statute has been in question about fifteen years, no express declaration has been made by either House of Parliament in England upon the subject, nor any act done from which the understanding of either House might be implied :

That a Select Committee of the House of Commons have deliberated upon the Act, and that having received opinions respecting it, and examined witnesses, they have made a report in which they decline venturing any opinion upon the legal effect of the Statute, but express their conviction that it was intended by its provisions to enable his Majesty, if he should think fit, to apply the money arising from the Reserves to any Protestant Clergy—not, however, expressly defining what they mean by the term "*Clergy*:"

That this report did not, as your Committee believe, undergo a public discussion in the House of Commons in the Session in which it was made, nor at any time afterwards ; nor has a vote of concurrence in the report ever been proposed in that House, within the knowledge of your Committee :

That his Majesty's Government have evidently an earnest desire to arrive at a satisfactory adjustment of the question, and so recently as 1832, have communicated to the Legislature of this Province a proposition, that the Reserves should, by a Colonial Act, be vested in his Majesty, discharged from any trust created by 31st Geo. 3. :

That in this communication his Majesty speaks of the Reserves "as having been set apart as a provision for the Clergy of the Established Churches of England and Scotland, declaring the sacred obligation incumbent upon him to watch over the interests of all the Protestant Churches within his dominions, and that his Majesty can never consent to abandon those interests, with a view to any objects of temporary and apparent expediency" :

That to this recommendation of his Majesty respecting the vesting of the Clergy Reserves in the Crown, discharged from any trust, no effect has yet been given. That a measure for that purpose has been expressly rejected in one branch of the Legislature; and a bill introduced of a different nature, which has for its object the total abolition of this provision for the support of religion, and the depriving the Crown of the right to dispose of the lands, which, in case of repealing the provision in question, ought, in the opinion of Your Committee, to revert to His Majesty :

That the Protestant Religion has no assurance of public support for its Ministers of any denomination in the Province of Upper Canada, except such as may be derived from the Reserves in question ; nor does it appear to your Committee that such support can be looked for from any other resource.

This being the actual state of the question, your Committee believe it may be confidently assumed that no Bill of such a nature as is now before them will receive the concurrence of the Legislative Council: and indeed it is manifest that, if there were no doubt as to the power of this Legislature to pass such a Bill, subject to the confirmation of His Majesty and the British Parliament, the attempt to do so could not be successful; for it is not to be supposed that His Majesty and the British Parliament will disregard obligations admitted to be sacred, and surrender interests which His Majesty has solemnly pledged himself "*should not be abandoned with a view to any objects of temporary and apparent expediency,*"

Your Committee conceives it must be sufficiently evident that no prospect whatever exists of effecting a final settlement in regard to the Clergy Reserves by any Act to be passed within the Colony. Without contending for the interests of any particular Church, or asserting or denying the validity of any claim that has been advanced, your Committee is most desirous of impressing upon your Honorable House the propriety of interceding with His Majesty and the British Parliament to bring this long pending question to a decided and final termination. The continual agitation of the claims which have been advanced, and the indulgence of hopes which may or may not be ultimately fulfilled, have a most unfavorable influence upon the spiritual and temporal welfare of the people of this Colony. The difficulty is rather increased than diminished by delay; and your Committee is persuaded that no greater service could be rendered by the Mother Country to this Province than the putting a period,

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by an explicit and just measure, to all further contests and fruitless expectations in regard to the Reserves.

It is obvious that no Act that can be passed here can be effectual, unless it meets the approbation of His Majesty and both Houses of the Imperial Parliament. With that supreme authority it therefore rests to dispose of the question; and your Committee are persuaded that the Legislative Council will not hesitate to declare their readiness to submit, with cheerfulness, to whatever course they may think it just to adopt. With this view, your Committee have proposed several Resolutions, which, if they shall be approved of by the Legislative Council, your Committee recommend to be sent to the Assembly for their concurrence, in order that a joint address to His Majesty and both Houses of Parliament, may be framed upon them. If the House of Assembly should not concur in them, then your Committee recommend, that an address from the Legislative Council should be transmitted to His Majesty and both Houses of Parliament, framed in conformity to the Resolutions; and that a copy of this Report and the documents appended to it, should accompany the address.

It has occurred to your Committee that it may appear just and reasonable, that before the interposition of Parliament is exercised, the legal claims which any party may have advanced, or may desire to advance, under the 31 Geo. 3. Chap. 31. should, if possible, be decided upon, and the rights of all ascertained by the judgment of some competent tribunal, if that can be effected. Upon that point it is material to observe, that under a Statute passed in England so lately as in August 1833, a provision is made, which it appears to your Committee would completely meet this object. By the Statute referred to, (3d and 4th William 4th, chap. 41.) a tribunal is constituted, called the "Judicial Committee of the Privy Council," to consist of the President of His Majesty's Privy Council, for the time being, the Lord High Chancellor, such of the Members of the Privy Council as hold any of the offices following, namely, Chief Justice or Judge of the King's Bench, Master of the Rolls, Vice-Chancellor of England, Chief Justice or Judge of the Common Pleas, Chief Baron or Baron of the Court of Exchequer, Judge of the Prerogative Court, Judge of the High Court of Admiralty, Chief Judge of the Court of Bankruptcy, and all Members of His Majesty's Privy Council who shall have been President thereof, or held the office of Lord Chancellor of Great Britain, or any of the other Offices before mentioned, and also any two other Members of the Privy Council whom His Majesty may choose to appoint. The tribunal thus composed is to have all the Jurisdiction incident to the former Court of His Majesty in Council, as a Court of Appeal from the Colonies and Plantations, with powers very considerably enlarged; and it is expressly enacted in the fourth section of the Statute, "that it shall be lawful for His Majesty "to refer to the said Judicial Committee, for hearing or consideration, any such other matters "whatsoever as His Majesty shall think fit, and such Committee shall thereupon hear or consider the same, and shall advise His Majesty therein." Thus it is plain that the opinion of this Judicial Committee may be had on the true legal construction and effect of the Statute 31 Geo. 3, although no litigation respecting it is depending in any Court; and if His Majesty, at the request of any of the respective claimants, should think fit under this clause of the Statute, to refer to this most respectable Tribunal, such legal questions as have arisen upon the provision made for the support of Religion under the Statute 31 Geo. 3, chap. 31. their decision, after sufficient opportunity having been afforded to any party interested to be heard before them, must, in the opinion of all reasonable persons, be considered as conclusive in respect to the legal right.

All which is respectfully submitted.

(Signed)

THOMAS CLARK,
CHAIRMAN.

Committee Room of the Legislative Council,
4th April, 1835.

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APPENDIX.

To the Report of the Select Committee to whom was referred the Bill sent up from the House of Assembly, entitled, "An Act for the disposal of the Clergy Reserves in this Province, for the purposes of general Education."

APPENDIX A.

Clauses of the British Statute 31 Geo. 3. Chap. 31. which relate to the maintenance and support of a Protestant Clergy.

35. *And whereas* by the above mentioned Act, passed in the fourteenth year of the reign of his present Majesty, it was declared, That the Clergy of the Church of Rome in the Province of Quebec, might hold, receive and enjoy, their accustomed dues and rights, with respect to such persons only as should profess the said religion: *Provided nevertheless*, that it should be lawful for His Majesty, his Heirs or Successors, to make such provision out of the rest of the said accustomed dues and rights, for the encouragement of the Protestant Religion, and for the maintenance and support of a Protestant Clergy within the said Province, as he or they should from time to time think necessary and expedient; *And whereas*, by His Majesty's royal instructions, given under His Majesty's royal sign manual on the third day of January, in the year of our Lord one thousand seven hundred and seventy-five, to Guy Carleton, Esq., now Lord Dorchester, at that time His Majesty's Captain-General and Governor-in-Chief in and over His Majesty's Province of Quebec, His Majesty was pleased, amongst other things, to direct, "That no incumbent professing the religion of the Church of Rome, appointed to any parish in the said Province, should be entitled to receive any tithes for lands or possessions occupied by a Protestant, but that such tithes should be received by such persons as the said Guy Carleton, Esquire, His Majesty's Captain-General and Governor in Chief in and over His Majesty's said Province of Quebec, should appoint, and should be reserved in the hands of His Majesty's Receiver General of the said Province, for the support of a Protestant Clergy in His Majesty's said Province, to be actually resident within the same, and not otherwise, according to such directions as the said Guy Carleton, Esquire, His Majesty's Captain-General and Governor-in-Chief in and over His Majesty's said Province, should receive from His Majesty in that behalf; and that in like manner all growing rents and profits of a vacant benefice should, during such vacancy, be reserved for and applied to the like uses;" *And whereas*, His Majesty's pleasure has likewise been signified to the same effect in His Majesty's royal instructions, given in like manner to Sir Frederick Haldimand, Knight of the most Honorable order of the Bath, late His Majesty's Captain-General and Governor-in-Chief in and over His Majesty's said Province of Quebec; and also in His Majesty's royal instructions, given in like manner to the said Right Honorable Guy, Lord Dorchester, now His Majesty's Captain-General and Governor-in-Chief in and over His Majesty's said Province of Quebec—*Be it enacted by the authority aforesaid*, that the said declaration and provision contained in the said above mentioned Act, and also the said provision so made by His Majesty in consequence thereof, by his instructions before recited, shall remain and continue to be of full force and effect in each of the said two Provinces of Upper Canada and Lower Canada respectively, except in so far as the said declaration or provisions respectively, or any part thereof, shall be expressly varied or repealed by any Act or Acts which may be passed by the Legislative Council and Assembly of the said Provinces respectively, and assented to by His Majesty, his Heirs or Successors, under the restriction hereinafter provided.

36. *And whereas* His Majesty has been graciously pleased, by message to both Houses of Parliament, to express his royal desire to be enabled to make a permanent appropriation of lands in the said Provinces, for the support and maintenance of a Protestant Clergy within the same, in proportion to such lands as have been already granted within the same by His Majesty: *And whereas* His Majesty has been graciously pleased, by his said message, further to signify his royal desire that such provision may be made, with respect to all future grants of land within the said Provinces respectively, as may best conduce to the due and sufficient support and maintenance of a Protestant Clergy within the said Provinces, in proportion to such increase as may happen in the population and cultivation thereof: therefore, for the purpose of more effectually fulfilling His Majesty's gracious intentions, as aforesaid, and of pro-

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viding for the due execution of the same in all time to come—*Be it enacted by the authority aforesaid*, That it shall and may be lawful for His Majesty, his Heirs or Successors, to authorise the Governor or Lieutenant Governor of each of the said Provinces respectively, or the person administering the Government therein, to make, from and out of the lands of the Crown within such Provinces, such allotment and appropriation of lands, for the support and maintenance of a Protestant Clergy within the same, as may bear a due proportion to the amount of such lands within the same as have at any time been granted by or under the authority of His Majesty: and that whenever any grant of lands within either of the said Provinces shall hereafter be made, by or under the authority of His Majesty, his Heirs or Successors, there shall at the same time be made, in respect of the same, a proportionable allotment and appropriation of lands for the above mentioned purpose, within the township or parish to which such lands so to be granted shall appertain or be annexed, or as nearly adjacent thereto as circumstances will admit; and that no such grant shall be valid or effectual unless the same shall contain a specification of the lands so allotted and appropriated, in respect of the lands to be thereby granted; and that such lands, so allotted and appropriated, shall be, as nearly as the circumstances and nature of the case will admit, of the like quality as the lands in respect of which the same are so allotted and appropriated, and shall be, as nearly as the same can be estimated at the time of making such grant, equal in value to the seventh part of the lands so granted.

37. *And be it further enacted by the authority aforesaid*, That all and every the rents, profits or emoluments, which may at any time arise from such lands, so allotted and appropriated as aforesaid, shall be applicable solely to the maintenance and support of a Protestant Clergy within the Province in which the same shall be situated, and to no other use or purpose whatever.

38. *And be it further enacted by the authority aforesaid*, That it shall and may be lawful for His Majesty, his Heirs or Successors, to authorise the Governor or Lieutenant Governor of each of the said Provinces respectively, or the person administering the Government therein from time to time, with the advice of such Executive Council as shall have been appointed by His Majesty, his Heirs or Successors, within such Province, for the affairs thereof, to constitute and erect, within every township or parish which now is or hereafter may be formed, constituted or erected, within such Province, one or more parsonage or rectory, or parsonages or rectories, according to the establishment of the Church of England; and from time to time, by an instrument under the great seal of such Province, to endow every such parsonage or rectory with so much or such a part of the lands so allotted and appropriated as aforesaid, in respect of any lands within such township or parish, which shall have been granted subsequent to the commencement of this Act, or of such lands as may have been allotted and appropriated for the same purpose, by or in virtue of any instruction which may be given by His Majesty, in respect of any lands granted by His Majesty before the commencement of this Act, as such Governor, Lieutenant Governor, or person administering the Government, shall with the advice of the said Executive Council, judge to be expedient under the then existing circumstances of such township or parish.

39. *And be it further enacted by the authority aforesaid*, That it shall and may be lawful for His Majesty, his Heirs or Successors, to authorise the Governor, Lieutenant Governor, or person administering the Government of each of the said Provinces respectively, to present to every such parsonage or rectory, an Incumbent or Minister of the Church of England, who shall have been duly ordained according to the rights of the said Church, and to supply from time to time such vacancies as may happen therein; and that every person so presented to any such parsonage or rectory, shall hold and enjoy the same, and all rights, profits and emoluments, thereunto belonging or granted, as fully and amply, and in the same manner, and on the same terms and conditions, and liable to the performance of the same duties, as the Incumbent of a parsonage or rectory in England.

40. *Provided always, and be it further enacted by the authority aforesaid*, That every such presentation of an Incumbent or Minister, to any such parsonage or rectory, and also the enjoyment of any such parsonage or rectory, and of the rights, profits and emoluments thereof, by any such Incumbent or Minister, shall be subject and liable to all rights of institution, and all other spiritual and ecclesiastical jurisdiction and authority, which have been lawfully

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granted by His Majesty's royal letters patent to the Bishop of Nova Scotia, or which may hereafter, by His Majesty's royal authority, be lawfully granted or appointed to be administered and executed within the said Provinces, or either of them respectively, by the said Bishop of Nova Scotia, or by any other person or persons, according to the laws and canons of the Church of England, which are lawfully made and received in England.

41. *Provided always, and be it further enacted by the authority aforesaid,* That the several provisions hereinbefore contained, respecting the allotment and appropriation of lands for the support of a Protestant Clergy within the said Provinces, and also respecting the constituting, erecting, and endowing parsonages or rectories within the said Provinces; and also respecting the presentation of Incumbents or Ministers to the same; and also respecting the manner in which such Incumbents or Ministers shall hold and enjoy the same, shall be subject to be varied or repealed by any express provisions for that purpose, contained in any Act or Acts which may be passed by the Legislative Council and Assembly of the said Provinces respectively, and assented to by His Majesty, his Heirs or Successors, under the restriction hereinafter provided.

42. *Provided nevertheless, and be it further enacted by the authority aforesaid,* That whenever any Act or Acts shall be passed by the Legislative Council and Assembly of either of the said Provinces, containing any provisions to vary or repeal the above recited declaration and provisions contained in the said Act passed in the fourteenth year of the reign of his present Majesty; or to vary or repeal the above recited provision contained in His Majesty's royal instructions, given on the third day of January, in the year of our Lord one thousand seven hundred and seventy-five, to the said Guy Carleton, Esquire, now Lord Dorchester; or to vary or repeal the provisions hereinbefore contained for continuing the force and effect of the said declaration and provisions; or to vary or repeal any of the several provisions hereinbefore contained respecting the allotment and appropriation of lands for the support of a Protestant Clergy within the said Provinces; or respecting the constituting, erecting or endowing parsonages or rectories within the said Provinces; or respecting the presentation of Incumbents or Ministers to the same; or respecting the manner in which such Incumbents or Ministers shall hold and enjoy the same: and also that whenever any Act or Acts shall be so passed, containing any provisions which shall in any manner relate to or affect the enjoyment or exercise of any religious form or mode of worship; or shall impose or create any penalties burthens, disabilities, or disqualifications, in respect of the same; or shall in any manner relate to or affect the payment, recovery or enjoyment, of any of the accustomed dues or rights hereinbefore mentioned; or shall in any manner relate to the granting, imposing or recovering any other dues or stipends, or emoluments whatever, to be paid to or for the use of any Minister, Priest, Ecclesiastic or Teacher, according to any religious form or mode of worship, in respect of his said office or function; or shall in any manner relate to or affect the establishment or discipline of the Church of England, amongst the Ministers and Members thereof within the said Provinces; or shall in any manner relate to or affect the King's prerogative touching the granting of waste lands of the Crown within the said Provinces, every such Act or Acts shall, previous to any declaration or signification of the King's assent thereto, be laid before both Houses of Parliament in Great Britain; and that it shall not be lawful for his Majesty, his Heirs or Successors, to signify his or their assent to any such Act or Acts, until thirty days after the same shall have been laid before the said Houses, or to assent to any such Act or Acts, in case either House of Parliament shall, within the said thirty days, address His Majesty, his Heirs or Successors, to withhold his or their assent from such Act or Acts, and that no such Act shall be valid or effectual to any of the said purposes, within either of the said Provinces, unless the Legislative Council and Assembly of such Province shall, in the Session in which the same shall have been passed by them, have presented to the Governor, Lieutenant Governor, or person administering the government of such Province, an address or addresses, specifying that such Act contains provisions for some of the said purposes herein before specially described, and desiring that, in order to give effect to the same, such Act should be transmitted to England without delay, for the purpose of being laid before Parliament previous to the signification of His Majesty's assent thereto.

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APPENDIX B.

An Act relative to the right of Tithes within this Province. (Passed by the Legislature of Upper Canada.)

[The Royal Assent to this Bill was promulgated by Proclamation, bearing date the 20th day of February, 1823.]

WHEREAS notwithstanding His Majesty has been graciously pleased to reserve for the support of a Protestant Clergy in this Province, one-seventh of all lands granted therein, doubts have been suggested that the tithe of the produce of land might still be legally demanded by the Incumbent duly instituted, or Rector of any parish; which doubt it is important to the well doing of this Colony to remove: Be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That no tithes shall be claimed, demanded or received, by any Ecclesiastical Parson, Rector, or Vicar, of the Protestant Church within this Province, any law, custom or usage to the contrary notwithstanding.

APPENDIX C.

AN ACT OF THE IMPERIAL PARLIAMENT, PASSED

ANNO SEPTIMO & OCTAVO.

GEORGH IV. REGIS.

CHAP LXII.

An Act to authorise the Sale of a part of the Clergy Reserves in the Provinces of Upper and Lower Canada.

[2d July, 1827.]

WHEREAS by an Act passed in the thirty-first year of the reign of His late Majesty King George the Third, intituled, "An Act to repeal certain parts of An Act passed in the fourteenth year of His Majesty's reign, intituled, 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province,'" it is among other things enacted, that it shall and may be lawful for His Majesty, his Heirs or Successors, to authorise the Governor, or Lieutenant Governor of each of the Provinces of Upper Canada and Lower Canada respectively, or the person administering the Government therein, to make, from and out of the lands of the Crown within such Provinces, such allotment and appropriation of lands as therein mentioned for the support and maintenance of a Protestant Clergy within the same; and it was further enacted, that all and every the rents, profits or emoluments which might at any time arise from such lands so allotted and appropriated as aforesaid, should be applicable solely for the maintenance and support of a Protestant Clergy within the Province in which the same should be situated, and to no other purpose whatever: And whereas in pursuance of the said Act such allotments and appropriation of land as aforesaid, have from time to time been reserved for the purpose therein mentioned, which lands are known within the said Provinces by the name of the *Clergy Reserves*: And whereas the said Clergy Reserves have in great part remained waste and unproductive, from the want of capital to be employed in the cultivation thereof; and it is expedient to authorise the sale of certain parts of such Clergy Reserves, to the intent that the monies arising from such sale may be employed in the improvement of the remaining part of the said Clergy Reserves, or otherwise, for the purposes for which the said lands are so reserved as aforesaid: Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That it shall and may be lawful for the Governor and Lieutenant Governor, or Officer admin-

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istering the Government of the said Provinces, or either of them, with the consent of the Executive Council appointed within such Province for the affairs thereof, in pursuance of any instructions which may be issued to such Governor, Lieutenant Governor, or other Officer as aforesaid, by His Majesty, through one of his principal Secretaries of State, to sell, alienate and convey, in fee simple, or for any less estate or interest, a part of the said Clergy Reserves in each of the said Provinces, (not exceeding in either Province one-fourth of the Reserves within such Province,) upon, under, and subject to such conditions, provisoes and regulations, as His Majesty, by any such instructions as aforesaid, shall be pleased to direct and appoint: *Provided nevertheless*, that the quantity of the said Clergy Reserves so to be sold as aforesaid, in any one year, in either of the said Provinces, shall not in the whole exceed one hundred thousand acres: *Provided also*, that the monies to arise by, or to be produced from any such sale or sales, shall be paid over to such officer or officers of His Majesty's revenue within the said Provinces respectively, as His Majesty shall be pleased to appoint to receive the same, and shall by such officer or officers be invested in the public funds of the United Kingdom of Great Britain and Ireland, in such manner and form as His Majesty shall from time to time be pleased to direct: *Provided also*, that the dividends and interest accruing from such public funds, so to be purchased, shall be appropriated, applied and disposed of for the improvement of the remaining part of the said Clergy Reserves, or otherwise, for the purposes for which the said lands were so reserved as aforesaid, and for no other purpose whatsoever; save only so far as it may be necessary to apply the same, or any part thereof, in or towards defraying the expenses of or attendant upon any such sale or sales as aforesaid; and which appropriations shall be so made in such manner and form, and for such special purposes as His Majesty from time to time shall approve and direct.

2. *And be it further enacted*, That it shall and may be lawful for the Governor, Lieutenant Governor, or officer administering the Government of the said Provinces, with the consent of such Executive Council as aforesaid, in pursuance of any instructions which may in manner aforesaid be issued to him, to give and grant in exchange for any part of the said Clergy Reserves, any lands of and belonging to His Majesty within the said Provinces, of equal value with such Clergy Reserves so to be taken in exchange, or to accept in exchange for any such Clergy Reserves, from any person or persons, any lands of equal value; and all lands so taken in exchange for any such Clergy Reserves, shall be holden by His Majesty, his Heirs and Successors, in trust for the several purposes to which the said Clergy Reserves are appropriated by the said Act, so passed in the thirty-first year of the reign of his late Majesty King George the Third, or by this present Act.

APPENDIX D.

Copy of the opinion of his Majesty's Law Officers relative to the Clergy Reserves; dated 15th November, 1819.

DOCTOR'S COMMONS, 15th NOVEMBER, 1819.

MY LORD:

We are honored with your Lordship's commands of the 14th September last, stating that doubts have arisen how far, under the construction of the Act passed in the 31st year of his present Majesty, (c. 31.) the Dissenting Protestant Ministers resident in Canada have a legal claim to participate in the lands by that Act directed to be reserved as a provision for the support and maintenance of a Protestant Clergy.

And your Lordship is pleased to request, that we would take the same into consideration, and report to your Lordship, for the information of the Prince Regent, our opinion, whether the Governor of the Province is either required by the Act, or would be justified in applying the produce of the reserved lands to the maintenance of any other than the Clergy of the Church of England resident in the Province; and in the event of our being of opinion that the Ministers of Dissenting Protestant congregations have a concurrent claim with those of the Church of England, further desiring our opining, whether, in applying the reserved lands to the endowment of rectories and parsonages, as required by the 38th clause, it is incumbent upon his Majesty to retain a proportion of those lands for the maintenance of the Dis-

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senting Clergy, and as to the proportion in which, under such a construction, the provision is to be assigned to the different classes of Dissenters established within the Province.

We are of opinion, that though the provisions made by 31st Geo. 3. c. 31, § 36, and 42, for the support and maintenance of a Protestant Clergy, are not confined solely to the Clergy of the Church of England, but may be extended also to the Clergy of the Church of Scotland, if there are any such settled in Canada, (as appears to have been admitted in the debate upon the passing of the Act,) yet that they do not extend to the Dissenting Ministers, since we think the terms, Protestant Clergy, can apply only to Protestant Clergy recognized and established by law.

The 37th section, which directs, "that the rents and profits of the lands, &c. shall be applicable solely to the maintenace and support of a Protestant Clergy," does not specify by what authority the rents and profits are to be so applied. Supposing the Governor to be duly authorised by the Act to make such application, we think that he will be justified in applying such rents and profits to the maintenance and support of the Clergy of the Church of Scotland, as well as those of the Church of England, but not to the support and maintenance of Ministers of Dissenting Protestant congregations.

With respect to the second question, the 33th clause, "which empowers his Majesty to authorise the Governor to constitute and erect parsonages or rectories according to the establishment of the Church of England;" provides also, "that he may endow every such parsonage or rectory with so much of the lands allotted and appropriated, in respect to any land within such township or parish which shall have been granted, as the Governor, with the advice of the Executive Council, shall judge to be expedient."

Under these terms he might endow any particular parsonage or rectory, with the whole lands allotted and appropriated in that township or parish.

It would be inconsistent with this discretionary power, that any proportion of such lands should be absolutely retained for any other Clergy than those mentioned in that clause, and we think that it is not incumbent on his Majesty so to retain any proportion of such lands.

We have the honor to be, my Lord,

Your Lordship's most obedient, humble servants,

(Signed)

CHRIST. ROBINSON,
R. GIFFORD,
J. S. COPLEY.

EARL BATHURST,
&c. &c. &c.

APPENDIX E.

Extract from the Report of the Select Committee of the House of Commons, appointed in 1827, to report on the Civil Government of Canada.

"It now remains for us to lay before the House the result of our inquiries into the Clergy Reserves, which appear, by the statements of the petitioners from Upper Canada, to be the cause of much anxiety and dissatisfaction in that Province. By the Act of 1791, the Governor is directed to make, from and out of the lands of the Crown within such Provinces, such allotment and appropriation of lands for the support and maintenance of a Protestant Clergy within the same, as may bear a due proportion to the amount of such lands within the same, as have at any time been granted by or under any authority of his Majesty. And it is further provided, that such lands so allotted and appropriated shall be, as nearly as the circumstances and the nature of the case will admit, of the like quality as the lands in respect of which the same are so allotted and appropriated; and shall be, as nearly as the same may be estimated at the time of making such grant, equal in value to the seventh part of the lands so granted.

"The directions thus given, have been strictly carried into effect, and the result is, that the separate portions of land which have been thus reserved, are scattered over the whole of the Districts already granted:

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SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

“It was no doubt expected by the framers of this Act that, as the other six parts of the land granted were improved and cultivated, the reserved part would produce a rent, and that out of the profits thus realized, an ample fund might be established for the maintenance of a Protestant Clergy. These anticipations, however, have not as yet been, and do not appear likely to be soon realized. Judging, indeed, by all the information the Committee could obtain on this subject, they entertain no doubt that these reserved lands, as they are at present distributed over the country, retard more than any other circumstance the improvement of the Colony, lying as they do in detached portions in each township, and intervening between the occupations of actual settlers, who have no means of cutting roads through the woods and morasses which thus separate them from their neighbors. The allotment of those portions of reserved wilderness has, in fact done much more to diminish the value of the six parts granted to these settlers, than the improvement of their allotments has done to increase the value of the reserve. This we think must be apparent from the results of the attempts which have been made to dispose of these lands. A corporation has been formed within the Province, consisting of the Clergy of the Church of England, who have been empowered to grant leases of those lands for a term not exceeding twenty-one years. It appears that in the Lower Province alone, the total quantity of Clergy Reserves is 488,594 acres, of which 75,639 acres are granted on leases, the terms of which are—that for every lot of 200 acres, 8 bushels of wheat, or 25s. per annum, shall be paid for the first seven years; 16 bushels, or 50s. per annum, shall be paid for the next seven years; and 24 bushels, or 75s. per annum, for the last seven years. Under these circumstances, the nominal rent of the Clergy Reserves is £930 per annum. The actual receipt for the average of the last three years has been only £50 per annum. The great difference between the nominal and net receipt is to be accounted for by the great difficulty of collecting rents, and by tenants absconding. We are informed also, that the resident Clergy act as local agents in collecting the rents, that a sum of £175 had been deducted for the expenses of management, and that at the date of the last communication on this subject, £250 remained in the hands of the Receiver General, being the gross produce of the whole revenue of an estate of 954,488 acres.

“An attempt has been made to dispose of this estate by sale. The Canada Company, established by the Act 6th Geo. 4. chap. 75, agreed to purchase a large portion of these reserves at a price to be fixed by Commissioners; three shillings and six pence per acre was the price estimated, and at this sum an unwillingness was expressed on the part of the Church to dispose of the lands.

“The Government, therefore, have made arrangements with the Company, and an Act has since been passed authorising the sale of these lands to any person desiring to purchase them, provided the quantity sold does not exceed 100,000 acres each year.

“As your Committee entertain no doubt that the reservation of these lands in mortmain is a serious obstacle to the improvement of the Colony, they think every proper exertion should be made to place them in the hands of persons who will perform upon them the duties of settlement, and bring them gradually into cultivation.

“That their value, whatever it may be, must be applied to the maintenance of a Protestant Clergy there can be no doubt. And your Committee regret that there is no prospect, as far as a present and succeeding generation is concerned, of their produce being sufficient for that object, in a country where wholly unimproved land is granted in fee for almost nothing to persons willing to settle on it. It is hardly to be expected that, with the exception of some favored allotments, responsible tenants will be found who will hold on lease, or that purchasers of such land will be found at more than a nominal price.

“Your Committee, however, are happy to find that the principle of the progressive sale of these lands has already been sanctioned by an Act of the British Parliament. They cannot avoid recommending, in the strongest manner, the propriety of securing for the future any provision which may be deemed necessary for the religious wants of the community in those Provinces, by other means than by a reservation of one-seventh of the land, according to the enactment of the Act of 1791. They would also observe, that equal objections exist to the reservation of that seventh, which in practice appears to be reserved for the benefit

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“ of the Crown ; and doubtless the time must arrive when these reserved lands will have
 “ acquired a considerable value from the circumstance of their being surrounded by settled
 “ districts, but that value will have been acquired at the expense of the real interest of this
 “ Province, and will operate to retard that course of general improvement, which is the true
 “ source of national wealth. Your Committee are of opinion, therefore, that it may be well for the
 “ Government to consider whether these lands cannot be permanently alienated, subject to
 “ some fixed moderate reserved payment, (either in money or in grain, as may be demanded,)
 “ to arise after the first ten or fifteen years of occupation. They are not prepared to do more
 “ than offer this suggestion, which appears to them to be worthy of more careful investigation
 “ than it is in their power to give it ; but in this or in some such mode, they are fully persua-
 “ ded the lands thus reserved ought without delay to be permanently disposed of.

“ To a property at once so large and so unproductive, it appears that there are numerous
 “ claimants.

“ The Act of 1791 directs, that the profits arising from this source shall be applied to a
 “ Protestant Clergy ; doubts have arisen whether the Act requires the Government to confine
 “ them to the use of the Church of England only, or to allow the Church of Scotland to par-
 “ ticipate in them. The Law Officers of the Crown have given an opinion in favour of the
 “ rights of the Church of Scotland to such participation, in which your Committee entirely
 “ concur ; but the question has also been raised, whether the Clergy of every denomination
 “ of Christians, except Roman Catholics, may not be included ; it is not for your Committee
 “ to express an opinion on the accuracy which the words of the Act legally convey. They
 “ entertain no doubt, however, that the intention of those persons who brought forward the
 “ measure in parliament was to endow with parsonage houses and glebe lands the Clergy of
 “ the Church of England, at the discretion of the local Government ; but with respect to the
 “ distribution of the proceeds of the reserved lands generally, they are of opinion that they
 “ sought to reserve to the Government the right to apply the money, if they so thought fit, to
 “ any Protestant Clergy.

“ The Committee see little reason to hope that the annual income to be derived from
 “ this source is likely, within any time to which they can look forward, to amount to a suffi-
 “ cient sum to provide for the Protestant Clergy of these Provinces ; but they venture to press
 “ the early consideration of this subject on His Majesty's Government, with a view to an ad-
 “ justment that they may be satisfactory to the Province ; of the principle on which the pro-
 “ ceeds from these lands are hereafter to be applied, and in deciding on the just and prudent
 “ application of these funds, the Government will necessarily be influenced by the state of
 “ the population, as to religious opinions, at the period when the decision is to be taken. At
 “ present it is certain that the adherents of the Church of England constitute but a small
 “ minority in the Province of Upper Canada. On the part of the Scotch Church, claims have
 “ been strongly urged on account of its establishment in the Empire, and from the number of
 “ its adherents in the Province. With regard to the other religious sects, the Committee
 “ have found much difficulty in ascertaining the exact numerical proportions which they bear
 “ one to the other ; but the evidence has led them to believe, that neither the adherents of the
 “ Church of England, nor those of the Church of Scotland, form the most numerous religious
 “ body within the Province of Upper Canada.”

APPENDIX F.

Address of the Legislative Council of Upper Canada on the subject of the Clergy Reserves.

Extract from the Journal of the Legislative Council, March 16, 1831.

TO THE KING'S MOST EXCELLENT MAJESTY.

MOST GRACIOUS SOVEREIGN :

WE, Your Majesty's dutiful and loyal Subjects, the Legislative Council of Upper Canada, in Provincial Parliament assembled, humbly beg leave to address ourselves to your Majesty, on a subject of the utmost consequence to the future welfare of this Colony.

Saturday, 4th April, 1835.

SIR JOHN COLBORNE, K.C.B. *Lieutenant Governor.*

We observe with great concern the efforts which are making in this Colony to inculcate the opinion, that it is an infringement of liberty to make provision for the support of the Christian religion, by maintaining some form of public worship, even although such a provision should be made (as in this Province it has been made) without imposing a burthen upon any class of the people, and without subjecting to any civil disability those persons who profess a different faith.

As one of the branches of the Legislature of this Colony, we feel it to be our duty to declare our dissent from such a position, as being directly repugnant to principles which have been long and firmly established in every part of the British Empire, and expressly at variance with the original constitution of this Province, and with the sacred pledge given by your Majesty's late Royal Father when Canada became a British Province.

In the first arrangements made by his late Majesty, and by Parliament, for the Government of Canada, it was their principal care to continue and assure to the inhabitants that provision which the French Government had made for the support of religion, and accordingly the Clergy of the Roman Catholic Church were secured in the enjoyment of all their legal and accustomed rights; and many years afterwards, when the accession of a large English population, particularly in this portion of Canada, rendered it proper to divide the Province, and to make provision for two separate governments, his Majesty, in a message to Parliament, expressly recommended to them to consider of such provisions as should be necessary for enabling his Majesty to make a *permanent* appropriation of lands in the said Provinces for the support and maintenance of a Protestant Clergy within the same.

Concurring in this recommendation of his Majesty, the Parliament of Great Britain, by the Statute 31st Geo. 3. chap. 31st, made a provision for the support of a Protestant Clergy in this Province in the terms of the royal message; and they secured it by enactments so direct and positive, and so particular in their details, that there can be no part of the British Empire in which a public provision for the maintenance of religion stands on plainer ground than in the Provinces of Canada.

It was not until after this provision had existed, without complaint or remonstrance, for more than thirty years, that any attempt was made to excite a feeling of dissatisfaction in respect to it. Among the objections which have been urged against it since that period, it has been stated, that the Reserves by remaining waste, obstruct the settlement of the Province, and that the quantity of the land reserved is excessive in proportion to the object. With respect to the first objection it has always been exaggerated, and the reasoning in support of it was daily becoming weaker in consequence of the occupation of the reserves by Lessees, even before the measures which have lately been taken for their sale, under the authority of a recent Act of the Imperial Parliament.

Since they have been thus placed in a course of gradual alienation there not only remains no fair objection of that kind, but it is in reality a great benefit to the country, that respectable emigrants coming at this late period from Europe are enabled, by the opportunity of purchasing these Clergy Reserves, to obtain lands in eligible situations, upon convenient and moderate terms.

With regard to the argument that the allotment for religious purposes is excessive, and disproportioned to the object—it is easy to set at rest any question on that point, and to afford the most conclusive assurance that nothing more than an adequate provision is desired. This Province is divided into Townships, each of which contains about one hundred square miles, and in many of which there are already populous villages, besides the agricultural population generally dispersed over the whole surface.

It can easily be determined whether the support of two Clergymen of the Church of England, or of any given number beyond that, would form a reasonable provision for the religious wants of such a subdivision of the country, having in view what must be the future condition of this colony.

There can be as little difficulty in determining what stipend would assure a barely adequate maintenance to such clergymen; and if Parliament were to place at the disposal of his Majesty the surplus of the endowment in any township that may remain after this adequate maintenance shall have been secured, such a measure must necessarily remove the apprehension of those persons who conceive the provision to be improvident and lavish.

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It is not our intention, on this occasion, to express any opinion respecting the claims which the Church of Scotland has preferred to a participation, being content that it rests with your Majesty and with Parliament to decide upon it.

We regret that it was ever thought advisable to agitate that question in this Colony, where it could not be determined; and we earnestly hope, for the sake of religion itself, that it may be speedily set at rest by a final decision. In the mean time, we cannot forbear to express our conviction, that the rulers of the Church of Scotland are more sincerely attached to the principles of christianity than to desire that the only permanent provision for religious instruction which exists in this country should be entirely abolished, because it has appeared doubtful whether that particular Church has a right to share in it.

They must be aware, that it is not with those feelings that the support of their venerable establishment is regarded in Scotland, by their fellow subjects of other denominations; and we do them the justice to believe that they would be forward to disavow any such sentiments in regard to this Province.

We find that the necessity of providing by public aid for the education of the various classes in society is felt and acted upon in this Province as well as in other countries, and we can by no means admit that their religious instruction can be treated as a matter of less important concern, and one that may with greater safety be left to the precarious liberality of individuals.

On the contrary, when we consider that the security of life and property, and all that is protected by the due administration of public justice, depends upon the religious obligation which the mind attaches to an oath, we feel that the best interests of society are involved in the maintenance of that provision which we earnestly desire to preserve.

We beg leave further to represent to your Majesty, that within the forty years which have elapsed since this endowment was allotted, the population of Upper Canada has increased from ten thousand, to two hundred and twenty thousand souls; the Province comprises within its present organized Districts a country not less in extent than the Kingdom of England and Wales; the fertility of the soil and the excellence of the climate are favorable to the most rapid advancement in population; and we persuade ourselves that your Majesty will not consider it expedient or right, that the millions of people who are to inhabit this country at no very remote period, shall be left dependant upon chance for the religious instruction they are to receive.

On the contrary, we fully trust that your Majesty and the Imperial Parliament, maintaining one of the first principles of the British Constitution, will preserve to the inhabitants of Upper Canada the advantage of an adequate and permanent provision for the support of public worship, convinced that by such means the best security will be provided for the moral conduct of the people, and for the peace and happiness of society.

(Signed,)

JOHN B. ROBINSON,

SPEAKER.

Legislative Council Chamber,

16th March, 1831.

APPENDIX G.

Message from his Excellency the Lieutenant Governor, relative to the Clergy Reserves in this Province; and copy of Bill for re-investing the same in His Majesty.

(Brought into the House of Assembly by the Attorney General.)

(Copy.)

J. COLBORNE.

The Lieutenant Governor has received His Majesty's commands to make the following communication to the House of Assembly, in reference to the lands, which, in pursuance of the Constitutional Act of this Province, have been set apart for the support and maintenance of a Protestant Clergy.

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SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

The representations which have at different times been made to his Majesty and his Royal Predecessors, of the prejudice sustained by his faithful subjects in this Province, from the appropriation of the Clergy Reserves, have engaged his Majesty's most attentive consideration.

His Majesty has, with no less anxiety, considered how far such an appropriation of territory is conducive, either to the temporal welfare of the ministers of religion in this Province, or to their spiritual influence. Bound no less by his personal feelings, than by the sacred obligations of that station to which Providence has called him, to watch over the interests of all the Protestant Churches within his dominions, his Majesty could never consent to abandon those interests with a view to any objects of temporary and apparent expediency.

It has therefore been with peculiar satisfaction that in the result of his inquiries into this subject, his Majesty has found that the changes sought for by so large a proportion of the inhabitants of this Province may be carried into effect without sacrificing the just claims of the established Churches of England and Scotland. The waste lands which have been set apart as a provision for the Clergy of those venerable bodies, have hitherto yielded no disposable revenue. The period at which they might reasonably be expected to become more productive is still remote. His Majesty has solid grounds for entertaining the hope, that before the arrival of that period, it may be found practicable to afford the Clergy of those Churches, such a reasonable and moderate provision as may be necessary for enabling them properly to discharge their sacred functions.

His Majesty, therefore, invites the House of Assembly of Upper Canada, to consider how the powers given to the Provincial Legislature by the Constitutional Act, to vary or repeal this part of its provisions, can be called into exercise most advantageously for the spiritual and temporal interests of his Majesty's faithful subjects in this Province.

GOVERNMENT HOUSE,

25th January, 1832.

WHEREAS by an Act passed in the Parliament of Great Britain, in the thirty-first year of the reign of his late Majesty King George the Third; entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of his Majesty's reign; entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America; and to make further provision for the Government of the said Province,'" it was amongst other things enacted, that it should and might be lawful for his said late Majesty, his Heirs and Successors, to authorise the Governor, or Lieutenant Governor of each of the said Provinces respectively, or the person administering the Government therein, to make, from and out of the lands of the Crown within such Province, such allotment and appropriation of the lands for the support and maintenance of a Protestant Clergy within the same, as may bear a due proportion to the amount of such lands within the same as had at any time been granted by or under the authority of his said late Majesty, and that upon any grant of land within either of the said Provinces, which should hereafter be made by or under the authority of his Majesty, his Heirs or Successors, there should at the same time be made in respect of the same, a proportionable allotment and appropriation of land for the above mentioned purpose, within the township or parish to which such lands so to be granted should appertain or be annexed, or as nearly adjacent thereto as circumstances would admit; and that no such grant should be valid or effectual, unless the same should contain a specification of the lands so allotted or appropriated in respect of the land to be thereby granted; and that such land so allotted and appropriated should be, as nearly as the circumstances and nature of the case would admit, of the like quality as the lands in respect of which the said land should be so allotted and appropriated, and should be, as nearly as the same could be estimated at the time of making such grant, equal in value to the seventh part of the lands so granted. And it was thereby further enacted, that all and every the rents, profits or emoluments, which might at any time arise from such lands, so allotted and appropriated as aforesaid, should be applicable solely to the maintenance of a Protestant Clergy within the Province in which the same should be situated, and to no other use or purpose whatever. And whereas

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various parts of the said Clergy Reserves within this Province have been demised, by letters patent under the Great Seal of this Province, to divers persons for terms of years which have not yet expired. And whereas by a certain Act of Parliament of the United Kingdom of Great Britain and Ireland, passed in the seventh and eighth years of the reign of his late Majesty King George the Fourth, entitled, "An Act to authorise the sale of a part of the Clergy Reserves in the Provinces of Upper and Lower Canada," it is enacted, that it shall and may be lawful for the Governor, Lieutenant Governor, or Officer administering the Government of the said Provinces, or either of them, with consent of the Executive Council appointed within such Province for the affairs thereof, in pursuance of any instructions which may be issued to such Governor, Lieutenant Governor, or other Officer, as aforesaid, by his Majesty, through one of his principal Secretary's of State, to sell, alienate and convey, in fee simple, or for any less estate or interest, a part of the said Clergy Reserves in each of the said Provinces, not exceeding in either Province one-fourth of the Reserves within such Province, upon, under, and subject to such conditions, provisoes and regulations, as his Majesty, by any such instruction as aforesaid, shall be pleased to direct and appoint; Provided nevertheless, that the quantity of the said Clergy Reserves so to be sold as aforesaid in any one year in either of the said Provinces, shall not in the whole exceed one hundred thousand acres;— Provided also, that the monies to arise by, or to be produced from any such sale or sales, shall be paid over to such officer or officers of his Majesty's revenue, within the said Province respectively, as his Majesty shall be pleased to appoint to receive the same, and shall by such officer or officers be invested in the public funds of the United Kingdom of Great Britain and Ireland, in such manner and form as his Majesty shall from time to time be pleased to direct; Provided also, that the dividends and interest accruing from such public funds so to be purchased, shall be appropriated, applied and disposed of for the improvement of the remaining part of the said Clergy Reserves, or otherwise for the purposes for which the said lands were reserved as aforesaid, and for no other purpose whatever, save only so far as it may be necessary to apply the same, or any part thereof, in or towards defraying the expenses of or attendant upon any such sale or sales as aforesaid, and which appropriations shall be so made in such manner and form, and for such special purposes, as his Majesty from time to time shall approve and direct. And whereas in pursuance of the said last recited Act, the Lieutenant Governor for the time being of this Province, with the consent of the Executive Council, hath, in pursuance of instructions for that purpose issued by his late Majesty King George the Fourth, through one of his principal Secretaries of State, effected sales of divers parts of the Clergy Reserves. And whereas by a message to both Houses of the Provincial Legislature, bearing date the 25th day of January, 1832, his Excellency Major General Sir John Colborne, K. C. B. hath signified to both Houses of the Legislature of this Province his Majesty's most gracious invitation to consider how far the powers given to the Provincial Legislature by the constitutional Act, to vary or repeal that part of its provisions which relate to the lands allotted and appropriated in this Province to the support and maintenance of a Protestant Clergy, could be called into exercise for the spiritual and temporal interests of his Majesty's faithful subjects in this Province. Now therefore be it enacted, &c. That so much, as is hereinbefore recited, of the said Act of the British Parliament, so passed as aforesaid in the thirty-first year of the reign of his late Majesty King George the Third, shall be, and the same is hereby repealed.

And be it, &c. That from henceforth no grant heretofore made by or on behalf of his Majesty, or any of his royal predecessors, of any lands situated within this Province, shall be or be deemed invalid or ineffectual, or be liable to be impeached, vacated or set aside, by reason that any such grant did not contain a specification of the lands allotted and appropriated for the support and maintenance of a Protestant Clergy in respect of the lands thereby granted; but every grant of land within this Province heretofore made by or on behalf of his Majesty, or of any of his royal predecessors, in which any specifications made had been omitted, shall henceforth be, and shall be deemed and taken from the day of the date thereof, to have been as valid and effectual in the law as though such grants had contained the specification aforesaid.

And be it, &c. That all the lands heretofore appropriated within this Province for the support and maintenance of a Protestant Clergy, now remaining unsold, shall be, and they are

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hereby declared to be vested in his Majesty, his Heirs and Successors, as of his and their estate, absolutely discharged from all trusts for the benefit of a Protestant Clergy, and of and from all and every the claims and demands of such Clergy upon or in respect of the same.

Provided always, and be it, &c. That nothing herein contained shall take away or affect, or be construed to take away or affect, the right or title of any person or persons in or to any lands which may by any such person or persons be holden or enjoyed, or which any such person or persons may claim to hold or enjoy by virtue of any sale, alienation, conveyance or contract, made, executed or entered into, in pursuance of the above recited Act of Parliament, passed in the seventh and eighth year of his said late Majesty's reign; but that every such sale, alienation or contract, shall be as valid and effectual in the law, and shall henceforth have, and continue to have, the same force and effect as if this present Act had not been made; *Provided also*, that nothing herein contained shall extend, or be construed to extend, to render invalid or ineffectual any lease or demise of any part of the said Reserves so passed under the Great Seal of this Province as aforesaid.

APPENDIX H.

Bill for the Disposal of the Clergy Reserves in this Province, for the purpose of Education.

[Upon which this Committee has been instructed to report.—Passed by the Assembly in 1835, and sent up to the Legislative Council.]

WHEREAS by an Act passed in the thirty-first year of the reign of his late Majesty King George the Third, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of his Majesty's reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,'" it was enacted, that it should and might be lawful for his Majesty, his Heirs and Successors, to authorise the Governor, or Lieutenant Governor, of each of the Provinces therein before named respectively, or the person administering the Government therein, to make, from and out of the lands of the Crown within such Provinces, such allotment and appropriation of lands for the support and maintenance of a Protestant Clergy within the same, as might bear a due proportion to the amount of such lands within the same as have at any time been granted by or under the authority of his Majesty; and that whenever any grant of lands within either of the said Provinces should thereafter be made by or under the authority of his Majesty, his Heirs or Successors, there should at the same time be made in respect of the same, a proportionable allotment and appropriation of lands for the above mentioned purpose, within the township or parish to which such lands so to be granted shall appertain or be annexed, or as nearly adjacent thereto as circumstances would admit; and that no such grant should be valid and effectual unless the same should contain a specification of the lands so allotted and appropriated in respect of the lands to be thereby granted; and that such lands so allotted and appropriated should be, as nearly as the circumstances and nature of the case would admit, of the like quality as the lands in respect of which the same are so allotted and appropriated, and should be, as nearly as the same can be estimated at the time of making such grant, equal in value to the seventh part of the lands so granted: *And whereas* it was, in and by the said in part recited Act, further enacted, that all and every the rents, profits or emoluments, which might at any time arise from such lands so allotted and appropriated as aforesaid, should be applicable solely to the maintenance and support of a Protestant Clergy within the Province in which the same should be situated, and to no other use or purpose whatever: *And whereas* in pursuance of the said Act, such proportionable allotments and appropriations of lands as aforesaid have from time to time been reserved for the purposes therein mentioned; and which lands are known by the name of "the Clergy Reserves"; *And whereas also*, the Bishop and Clergy of the Church of England pretend, contrary to the spirit and meaning of the said in part recited Act, to have an exclusive right to the said Reserves, and to the rents, issues and profits, arising from them, although, notwithstanding such pretensions, and the liberal pecuniary aid annually enjoyed by the Ministers thereof from a benevolent Society in England, the number of that Church is

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exceedingly small, when compared to the number of some other sects of Protestants in this Province: *And whereas* the continuance of those lands, and the said pretensions of the said Bishop and Clergy to an unjust monopoly of them, are exceedingly injurious to the interests, and offensive to the feelings of a vast majority of the inhabitants of this Province, and to the harmony of the Christian community: *And whereas* it is wisely provided by the said Act, section forty-first, "that the several provisions herein before contained, respecting the allotment and appropriation of lands for the support of a Protestant Clergy within the said Provinces; and also respecting the constituting, erecting and endowing, parsonages or rectories within the said Provinces; and also respecting the presentation of Incumbents or Ministers to the same; and also respecting the manner in which such incumbents or Ministers shall hold and enjoy the same," shall be subject to be varied or repealed by any express provisions for that purpose contained in any Act or Acts which may be passed by the Legislative Council and Assembly of the said Provinces respectively, and assented to by His Majesty, His Heirs or Successors: *And whereas* it is inexpedient and unwise in this Province, to have any one or more profession, denomination, or religious societies, anywise connected with the State, or receiving any endowment, pension, sinecure or salary, for their Ministers or Clergy, from the proceeds of the Clergy Reserves, or the public revenues of the State; but that it is expedient they should severally depend for their support upon the voluntary contributions of the people, and that the said Reserves should be sold for the purposes of general Education: *And whereas* by another Act of Parliament of the United Kingdom of Great Britain and Ireland, passed in the eighth year of the reign of his late Majesty, entitled, "An Act to authorise the sale of a part of the Clergy Reserves in the Provinces of Upper and Lower Canada," it was enacted, that a part of the said Clergy Reserves (not exceeding one-fourth of the said Reserves in this Province) should be sold, in the manner, and subject to the conditions and limitations in the said last mentioned Act contained: *And whereas* it is highly expedient and necessary to provide by law for the sale or leasing of so much of the said Reserves, whether converted into parsonages or rectories, or what are called glebes, as have not been sold under the authority of the last mentioned Act, or which are not now under sale: *And whereas* it is also expedient to provide for the sale of such of the aforesaid lands that are now under lease, as soon as such lease shall expire: *And whereas* it is just and expedient that the proceeds arising from the sale of the said land, as well such portions as have already been sold as those to be hereafter sold, and also arising from such as have been or hereafter shall be leased, should be applicable and appropriated to the support of general Education, by which all His Majesty's subjects may equally participate: *And whereas* it is inexpedient that such reservations should hereafter continue to be made.—*Be it, &c.* That so much of the said Act, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,'" as is above recited, be and the same is hereby repealed.

2. *And be it, &c.* That the persons hereafter appointed, and their successors duly appointed, agreeably to the provisions of this Act, shall be, and are hereby declared to be Commissioners for taking charge of and superintending, selling or leasing, the said Reserves, and for the collecting the money arising from such sales or leases; and also for collecting the money now due, or hereafter becoming due, on such as have heretofore been sold and leased; and who shall be known by the names of "Commissioners of Clergy Reserves"; and it shall be the duty of the several Commissioners, for their respective Districts, to collect all such sum or sums as may be due as aforesaid, for the purchase or lease as aforesaid, for any lot or parcel of the said land situate in his District; and who is hereby authorised to use the same means to recover the rent due on any of the said leased Reserves that a landlord by law now has; and who shall pay over, once in every three months, all such sums as may come into his hands by virtue of his office, to the Receiver General of the Province, for the purposes hereafter provided by this Act, except the sum of five per cent. as a compensation for his services, responsibility, &c. together with the expense of advertising the sales of lands in newspapers; as also such sum as may be allowed to the collectors and clerks of the several Townships of the District, as a compensation for their services imposed upon them by this Act; and it shall be the

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duty of the respective Commissioners to record in a book, to be kept for that purpose, all such sum or sums as he may receive and transmit as aforesaid, as well as all proceedings connected with their duties and office as Commissioners as aforesaid, which book shall be carefully preserved and kept by such Commissioners, and handed over to their successors in office, a copy of which they shall make out and transmit to the Governor, Lieutenant Governor, or person administering the Government, on the first day of November in each and every year during their continuance in office, to be by him laid before the Legislature.

3. *And be it, &c.* That it shall and may be lawful for the Governor, Lieutenant Governor, or person administering the Government of this Province, for the time being, to cause to be made out a list of the said Reserves in the several Districts, contained in each Township in the same, in this Province, and which list shall shew distinctly the situation of the several lots or parts of lots whether sold or not; if sold, at what price; and how much has been paid; what remains yet to be paid:—if leased, the terms of the lease, together with its date, and time it will expire; as also what is due and unpaid on said lease; and also the applications that may have been made; the name or names of the applicant or applicants, with their place of residence, to purchase or lease any of the said Reserves which have not yet been sold or leased; and which list shall, with the least possible delay, be, after the passing of this Act, transmitted to the Clerk of the Peace of the respective Districts, to be by him handed over to the Commissioners of the said Districts.

4. *And be it, &c.* That the said Commissioners for the respective Districts shall, immediately upon the receipt of such list, give public notice, by putting up a notice in three of the most public places in the several Townships in which there are any lands as aforesaid, which have been applied for and mentioned in the list as aforesaid, but which has not either been sold or leased, at least for thirty days, stating that they will on a certain day and hour, and at a certain place, meet the Township Clerk and the Collector for the Township, whose duty it shall be to meet the said Commissioners at such time and place, for the purpose of hearing and determining upon the several claims for the several lots or parcels of land as aforesaid, and the said Commissioner for any District, together with such Township Clerk and Collector, shall form a Board to hear and determine upon all claims as aforesaid that may be brought before them, and may adjourn from time to time as they may deem expedient; and it shall be lawful for the said Commissioner to issue a summons for the attendance of any witness or witnesses that may be desired by any party claiming any lot or parcel of land as aforesaid; and such Board to hear such witnesses upon oath as may be produced, which oath the said Commissioner is hereby authorised to administer, which shall be in the form of the schedule to this Act marked C.; and also may hear the party or parties either under oath or otherwise as they may deem expedient; and in case the said Township Clerk or Collector shall neglect or refuse to attend and perform the duties imposed upon them by this Act, the said Commissioner is hereby authorised and empowered to summons one or more disinterested Freeholders as occasion may require, to supply the place and act instead of the said Township Clerk or Collector for all the purposes of this Act.

5. *And be it, &c.* That it shall and may be lawful for any person or persons who may have made application to purchase or lease any land in said Township to prefer his, her or their, claim to the said Board, and sustain the same by such proof as he may be in possession of and desire to adduce.

6. *And be it, &c.* That the several Township Clerks and Collectors, or such person or persons who perform the duties required of the Township Clerks and Collectors by this Act, in case of their refusal, as is herebefore provided, shall be entitled to receive the sum of five shillings for each and every day which they may necessarily be employed in performing the said duties, which sum the Commissioner is hereby authorised and required to pay out of any monies that may come into his hands by virtue of his office.

7. *And be it, &c.* That it shall and may be lawful for the said Board to hear and determine upon all such matters as aforesaid as may be brought before them, and decide the same according to the best of their ability and judgment; and in all cases where they find, that according to equity and good conscience, that any person is entitled to a lease for any lot or

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parcel of land as aforesaid, or purchase at private sale as is provided by this Act, they shall record the same in the book to be kept as aforesaid, together with the amount that is found due and payable as back rent, in case it is to be leased, on the said lot or parcel of land; and it shall and may be lawful for the said Commissioner of any District, and he is hereby required, as soon as may be after the said Board for any Township have finished their sitting, to proceed to examine and value all such lands as may have been decided to be liable to be purchased as aforesaid by any person or persons, and shall record his opinion of the value of the several lots or tracts of lands in said book; and also transmit or deliver to the respective persons having a claim, and whose claim has been confirmed by said Board, on any land as aforesaid.

8. *And be it, &c.* That it shall and may be lawful for each person preferring such claim, to pay, or cause to be paid, the first instalment on such land within the space of six months after receiving such statement or valuation; which instalment shall be in proportion to the whole amount according to the ratio hereinafter provided: *Provided always*, that if such person neglects or refuses to pay such instalment within the time aforesaid, then and in that case the said lands shall be sold at public auction, in the same way and manner as other lands are provided to be sold by this Act.

9. *And be it, &c.* That the Commissioners for their respective Districts shall meet the Collector and Township Clerk in the several Townships and form Boards in regular rotation, giving due notice as aforesaid, beginning with the Township containing the greatest number of souls; and no Board shall continue its sittings more than one week from the commencement of such sitting in any one Township; and that in all cases where a Township is not entitled to hold a Township meeting, it shall be taken and considered, for the purposes of this Act, to belong to the same Township to which it belongs for the purposes of Township meetings.

10. *And be it, &c.* That it shall and may be lawful for the several Commissioners, after forming Boards in the several Townships, and after performing and completing the duties imposed upon them by the former provisions of this Act, and they are hereby required to make out a full and fair list of such lands as remain undisposed of, and record the same in the book as aforesaid; from which list they shall select annually such lots or parcels as in their discretion they shall deem expedient, not exceeding one quarter of what so remains in any one Township, and expose the same for sale at public auction to the highest bidder, in the Township in which the land is situated, after first giving public notice of the time and place of sale, and the particular lots or parcels of land to be sold, by putting up a notice in three of the most public places in the Township, and also causing it to be published in three public newspapers in most extensive circulation in the District, at least six months previous to said sale, and renew their sale every twelve months from the date of their first sale, until the whole be disposed of: *Provided always*, that such lands shall be put up at such upset price as shall be previously approved of and decided upon by the Board of the said Township.

11. *And be it, &c.* That in case any lot so exposed for sale shall not be sold, or shall be bid off by any person, and the conditions of the sale shall afterwards not be complied with, such lot shall be taken and considered as part of the land yet remaining to be sold, and offered again for sale at the next annual sale, and be subject to the same terms, and liable to be sold in the same way and manner as though it had never been so exposed or offered for sale.

12. *And be it, &c.* That the conditions of all sales of lands sold under the provisions of this Act, shall be one-tenth down, and the remainder in nine equal annual instalments with interest: *Provided always*, that in case the Board of any Township shall think it right and expedient, they may allow any person a reasonable time to pay the first instalment on any land which they may find him entitled to purchase at private sale, not exceeding, however, the term of six months, free of all charge: *Provided also*, that any purchaser, upon paying off the whole of the purchase money within six months after such sale and purchase, shall be entitled to a deduction of five pounds upon every hundred pounds, and so in proportion for any greater or less sum for the nine last instalments.

13. *And be it, &c.* That when and so often as any lease for any of the Reserves which are now given, or hereafter to be given, shall expire, the Commissioners for the District in

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which the same are situated shall proceed to sell the same, in the same way and manner as is provided by this Act for the public sale of other lands: *Provided always*, that from and after the first four annual sales all the lands in any Township liable to be sold shall be exposed for sale at every annual sale until the whole be sold: *Provided always*, that if the lessee, or any one claiming under him, shall desire again to renew his lease, or become the purchaser of any particular lot, or part of a lot, tract or parcel of said Reserves, and shall make the same known to the Commissioner for the District for the time being, it shall be the duty of said Commissioner (in case such person desires to purchase) to examine and appraise the said lot, tract or parcel of land, and allow such person to purchase the same on the same terms and conditions that persons are allowed to purchase at private sale under the provisions of this Act: *Provided always*, that all such land shall be valued at what it would be worth at the time of said valuation in a state of nature and no more; or such Commissioner shall grant a lease for the same, as the case may be.

14. *And be it, &c.* That the following persons shall be, and are hereby declared to be the Commissioners for the respective Districts, who shall continue to be such until other Commissioners shall be appointed as is hereinafter provided, viz:—

For the Ottawa District,—Charles Waters.

For the Eastern District,—Peter Shaver.

For the Johnstown District,—Matthew M. Howard.

For the Bathurst District,—Donald Fraser.

For the Midland District,—Peter Perry.

For the Newcastle District,—Ebenezer Perry.

For the Home District,—Jesse Ketchum.

For the Gore District,—Caleb Hopkins.

For the Niagara District,—William Woodruff.

For the London District,—Charles Duncombe.

For the Western District,—Francis Baby.

For the Prince Edward District,—John Roblin.

Provided always, that in case any one or more of the said Commissioners appointed under and by the provisions of this Act, shall refuse to serve as such, or shall die, or remove out of the District for which he is appointed, it shall and may be lawful for the Governor, Lieutenant Governor, or person administering the Government, to appoint some other person instead thereof.

15. *And be it, &c.* That it shall and may be lawful for the House of Commons of this Province, at any Session of the Legislature after the passing of this Act, to appoint by vote of the said House, such person or persons as the said House may deem expedient instead of any Commissioner or Commissioners that may have been appointed according to the provisions of this Act.

16. *And be it, &c.* That it shall be the duty of the Governor, Lieutenant Governor, or person administering the Government, for the time being, to notify the Clerk of the Peace of the respective Districts, of any Commissioners appointed under the provisions of this Act, within thirty days after such appointment; and it shall be the duty of the Clerk of the Peace for any District receiving such notice, to acquaint such person of his appointment without delay, and request such person to come forward and qualify himself for his office according to law; and in case such person does not qualify himself for the duties of his office in the way and manner provided in this Act within the space of thirty days, such Clerk of the Peace shall, without loss of time, communicate the circumstance to the Governor, Lieutenant Governor, or person administering the Government, for the time being, in order to the appointing another person in their stead.

17. *And be it, &c.* That no Commissioner appointed under the provisions of this Act, shall enter upon the duties of his office until he has taken and subscribed the oath in the schedule to this Act marked A, which he is hereby required to do within the space of thirty days after receiving notice of his appointment, before the Clerk of the District, which oath the said Clerk is hereby authorised to administer to such Commissioner; and also enter into bonds for the due performance of the duties of his office, of one thousand pounds, with two

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good and sufficient sureties of five hundred pounds each, to be approved by said Clerk; which bond shall be in the form of the schedule to this Act marked B., which bond shall be kept in the office of the Clerk of the Peace; and it shall and may be lawful for any Commissioner so appointed and qualified for any District (except those Commissioners appointed and named in this Act) and he is hereby authorised and required to proceed forthwith to demand and receive from his predecessor, his heirs, executors or administrators, all such papers and documents in his or their possession relating to his office as said Commissioner; and upon the receipt of the same to transmit a true and correct copy of all such records as relate to the transactions of said Commissioner in the duties of his office to the Governor, Lieutenant Governor, or person administering the Government, in order that the same may be laid before the Legislature; and in case such Commissioner, or his heirs, executors or administrators, shall refuse to deliver over such papers to such Commissioner as aforesaid, then such Commissioner shall report the same to the Governor, Lieutenant Governor, or person administering the Government, in order to the prosecuting of any the bonds of such Commissioner.

18. *And be it, &c.* That it shall and may be lawful for any Commissioner, having sold any lot or parcel of land upon the credit and on the terms aforesaid, to exchange with such purchaser a counterpart of a voucher under hand and seal, according to the form to this Act annexed.

19. *And be it, &c.* That upon payment of the purchase money it shall and may be lawful for the said purchaser, his heirs, executors, administrators or assigns, to ask, and for the Commissioner, or his successor in office, to give a certificate endorsed upon the back of the said vouchers, that the terms of the sale have been fulfilled on such lot, parcel or tract of land.

20. *And be it, &c.* That the money received from time to time by the Commissioner under this Act shall be paid into the hands of the Receiver General of this Province, to be applied to the purposes of this Act, and no other.

21. *And be it, &c.* That upon producing the Commissioners' certificate as aforesaid, with the petition for a deed to the Lieutenant Governor in Council, it shall and may be lawful for the Governor in Council to make an order for a deed to issue to such person with the least possible delay, and without any fees or other charge therefor.

22. *And be it, &c.* That every Commissioner receiving monies by sales or otherwise under this Act shall, and he is hereby required immediately, or once in at least three months, to transmit the same to his Majesty's Receiver General, who shall annually prepare an account thereof for the Governor, Lieutenant Governor, or person administering the Government of this Province, for the time being, to be by him laid before the Provincial Legislature.

23. *And be it, &c.* That the monies raised and paid into the hands of the said Receiver General as aforesaid, shall be by him credited as a fund under this Act for the support and promotion of education, in such manner and proportion as shall hereafter be provided by any law of this Province; and that the said fund shall be applied to the said purposes, and to no other purposes whatsoever.

24. *And be it, &c.* That the Commissioner shall exchange with the said purchaser a counterpart of a voucher under hand and seal, in the form following:—

I, A. B. Commissioner of the — District, under and by virtue of an Act passed — entitled, "an Act, &c. [here insert the title of this Act] have for the consideration hereinafter mentioned sold by public auction, [or otherwise, as the case may be,] to C. D. of —, in the — District, the Clergy Reserve known as lot number —, [or as the case may be,] in the — concession, in the township of —, in consideration whereof, the said C. D. hath hereby undertaken to pay me, and my successors the sum of £—, in the manner following:—

Sealed with my seal, and dated at —, this — day of —

Witness,

25. *And be it, &c.* That in case any purchaser of a lot, tract or parcel of land as aforesaid, under this Act, shall neglect to comply with the conditions of the sale, and thereby forfeit his claim thereto, and shall not within six months from the time when any of the said payments become due pay all money due, with interest on the same from the time when it became due, it shall and may be lawful for the Commissioner, and he is hereby required, to proceed again to the sale of such lot in the same manner as if it had never been put up at auction; and every

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purchaser thereof at any second or subsequent sale from forfeiture as aforesaid, shall, and he is hereby empowered to proceed against any person or persons withholding the peaceable possession from him, in the same manner and form as for a forcible detainer by the laws of this Province.

APPENDIX I.

Extract of a letter from R. W. HAY, Esquire, to the Honorable J. K. STEWART, dated Downing-Street, 23d April, 1834.

“ IN consequence of the withdrawal of the aid heretofore received from Parliament, the Society for the Propagation of the Gospel appears to have found it impossible to maintain its former establishments ; and it announced last year that in Upper Canada, where Government had been able to provide an annual payment of £100 to each Missionary at present employed, the present average being £200, the allowances of the Society to its Missionaries would be discontinued after the year 1834 ; and that in all the other North American Colonies they would be reduced by one-half after the year 1835.”

On motion made and seconded, it was,

Ordered, that the last mentioned report of the Select Committee be committed to a Committee of the whole House on Wednesday next, and that in the mean time it be printed for the use of Members.

The report ordered to be printed.

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

House adjourns.

MONDAY, 6th APRIL, 1835.

The House met pursuant to adjournment.

House meets,

PRESENT :

<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> McDONELL,
<i>The Honorable Messrs.</i> CLARK,	“ “ BURNHAM,
“ “ DICKSON,	“ “ ELMSLEY,
“ “ CROOKSHANK,	“ “ BALDWIN,
“ “ MARKLAND,	“ “ CROOKS,

Members present.

Prayers were read.

The Minutes of Saturday 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 and Directors of the Upper Canada life insurance and trust Company”; and also the bill entitled “An Act to continue the law for attaching the property of absconding Debtors.” were severally read a third time, as amended ; and,

U. C. Life insurance corporation bill ; and absconding debtors' continuation bill, read 3rd time (as amended) 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 have passed the said bills with 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, and the Honorable Messieurs Allan and Hamilton 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 promote Education.”

Education promotion bill, committed.

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 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 referred to a Select Committee.

Ordered, that the report be received ; and,

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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 Messrs. Clark, Dickson, and the Honorable and Venerable the Archdeacon of York, do compose the Committee for that purpose.

Township Officers appointment bill, and the report thereon, recommitted.

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 reduce to one Act of Parliament the several Laws relative to the appointment and duties of Township Officers in this Province," and the report of the Select Committee thereon.

The Honorable Mr. Elmsley took the Chair.

After some time the House resumed.

Amendments to the bill 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.

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 "Province" insert "except an Act passed in the fourth year of the reign of William 4th, chapter 12th, entitled 'An Act to regulate line fences and water-courses, and to repeal so much of an Act passed in the thirty-third year of the reign of His late Majesty King George the Third, entitled, 'An Act to provide for the nomination and appointment of Parish and Town Officers within this Province,' as relates to the office of Fence-viewers being discharged by Overseers of Highways and Roads."

In the bill—Press 1, line 2.—After "meetings" insert "except an Act passed in the fourth year of the reign of William 4th, chapter 12th, entitled, 'An Act to regulate line fences and water-courses, and to repeal so much of an Act passed in the thirty-third year of the reign of his late Majesty King George the Third, entitled, 'An Act to provide for the nomination and appointment of Parish and Town Officers within this Province, as relates to the office of Fence-viewers being discharged by Overseers of Highways and Roads.'"

Press 2, line 9.—Expunge from "Province" to "and" in line 11.

Press 3, line 16.—Expunge "second."

" 5, " 5.—After "Township" insert "of the full age of twenty-one years."

" 17, " 13.—Expunge "June" and insert "May."

" 32. Expunge the sixty-third clause.

" 35, " 16.—After "act" insert "except those of office."

" " " 24.—Expunge "be able to."

Press 36.—Expunge the seventy-first clause, and insert "And be it further enacted by the authority aforesaid, that the Commissioners to be chosen under this Act shall have power to discharge the duties incumbent upon Town Wardens under the Act passed in the thirty-ninth year of the reign of His late Majesty King George the Third, entitled 'An Act to provide for the education and support of Orphan Children.'"

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 tomorrow.

King's Township survey bill, and the reports thereon, recommitted.

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 a new Survey in the Township of King," and the reports of the Select Committee thereon.

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 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 tomorrow.

Tuesday, 7th April, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

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

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

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

Pursuant to the order of the day, the bill entitled "An Act to impose a duty on various articles imported from the United States of America into this Province," was read a second time; and it was,

United States duty
bill read second time.

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

Pursuant to the order of the day, the bill entitled, "An Act to appoint Commissioners to settle disputes respecting certain roads and lines in the Township of Norwich, in the District of London, and to establish the said lines and roads," was read a second time; and it was,

Norwich Survey
Commissioners 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.

Ordered, that the Honorable Messrs. Clark, Hamilton and Crooks, do compose the same for that purpose,

Members composing
same.

Pursuant to the order of the day, the bill entitled "An Act authorising a loan to the President and Directors of the Desjardins Canal Company," was read a second time; and it was,

Desjardins Canal
Company's loan bill
read second time.

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

The Honorable Mr. Elmsley, from the Select Committee appointed to present an address of this House to the Lieutenant Governor, requesting His Excellency to advance the sum necessary for reimbursing the Committee the expense incurred by them in furnishing the Legislative Council Chamber, reported the delivery thereof, and that His Excellency had been pleased to make thereto the following reply:—

Report of the
Select Committee
appointed to present
an address requesting
His Excellency to
advance a sum of
money to the Com-
mittee who superin-
tended the furnishing
of the Legislative
Council Chamber.

GENTLEMEN,

As the close of the Session is so near, the Committee appointed by the Legislative Council to superintend the alterations of the apartments mentioned in this address, will, I trust, not find any inconvenience from the payment of the charges incurred by them being deferred till they can be provided for in the usual mode.

The reply.

On motion made and seconded the House adjourned.

House adjourns.

TUESDAY, 7th APRIL, 1835.

The House met pursuant to adjournment.

House meets.

PRESENT:

The Honorable JOHN B. ROBINSON, SPEAKER.

The Honorable Messrs. McDONELL,

The Honorable Messrs. CLARK,

" " BURNHAM,

" " DICKSON,

" " ELMSLEY,

" " CROOKSHANK,

" " HAMILTON,

" " MARKLAND,

" " CROOKS,

" " ALLAN,

Members present.

Prayers were read.

The Minutes of yesterday were read.

The order of the day being read for reading the bill entitled, "An Act to make good certain monies advanced for the contingent expenses of the last Session of the Legislature of this Province; and also to make good certain monies advanced in compliance with an address of the House of Assembly during the present Session," the third time, it was,

Contingency covering
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 Thursday next.

Pursuant to the order of the day, the bill entitled "An Act to reduce to one Act of Parliament the several laws relative to the appointment and duties of Township Officers in this Province," was, as amended, read a third time; and,

Township Officers
appointment bill,
as amended, read
third time and passed.

Tuesday, 7th April, 1835.

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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 con-
currence.

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 have passed this bill with certain amendments, to which they desire the concurrence of the Commons House of Assembly.

Road and Bridge
grant bill;
Welland Canal Com-
pany's Charter
amendment bill; and
Desjardins' heirs
relief bill, brought up
from the Assembly.

A Deputation from the Commons House of Assembly brought up a bill, entitled "An Act granting to His Majesty a sum of money for the improvement of the roads and bridges in the several Districts in this Province;" also, a bill entitled "An Act to explain and amend an Act incorporating the Welland Canal Company, and for appointing Arbitrators for certain purposes therein mentioned;" and also a bill entitled "An Act for the relief of the Heirs of the late Peter Des Jardins"—to which they requested the concurrence of this House; and they returned the bill entitled "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," and acquainted this House that the Commons House of Assembly had concurred in the amendments made by the Legislative Council in and to the same, and then withdrew.

Amendments to
U. C. life insurance
Corporation bill
concurred in by the
Assembly.

To the bill entitled "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"—

DISSENTIENT.

Protest of the Hon.
the Speaker, and of
the Hon. Messrs.
Dickson, Allan, and
McDonell, against
the passing of the last
mentioned bill.

1st.—Because those provisions of the bill which authorise the proposed Company to receive monies in trust, and to accept and execute all such trusts of every description as may be committed to them by any person or persons whatsoever, or as may be transferred to them by any Court of Probate or Surrogate Court in this Province, are, in our opinion, inexpedient and unsafe; and though the bill has been much improved by an amendment made to it in its passage through this House, we consider it still decidedly objectionable, and unsupported in principle by any precedent that has been produced of a similar enactment.

The Act passed in the State of New-York in 1830, for incorporating the New-York Life Insurance and Trust Company, which has been referred to as a measure of a similar description, is so essentially different in some important particulars, and guards the private interests of parties with so much greater care, that the comparison tends strongly to enforce our objections to the provisions of this bill.

2ndly.—Because if the object proposed by this bill should be carried into effect (which we think is doubtful) we are apprehensive that, however beneficially it might apply in many cases, it might prove injurious in a greater number of instances, by leading the farming population to contract debts upon mortgages of their property, which mortgages are to be attended with no equity of redemption, and it may be questioned whether the effect of the bill would not be to deprive the widow of her dower in such estates as might be sold for payment of the loans contracted, which doubt should have been removed.

(Signed,)

JOHN B. ROBINSON,
WILLIAM DICKSON,
WILLIAM ALLAN,
ALEX. McDONELL.

Road and Bridge
grant bill;
Welland Canal
Company's Charter
amendment bill; and
Desjardins' heir relief
bill read first time.

The bill entitled "An Act granting a sum of money for the improvement of the Roads and Bridges in the several Districts in this Province"; also the bill entitled "An Act to explain and amend an Act incorporating the Welland Canal Company, and for appointing Arbitrators for certain purposes therein mentioned"; and also the bill entitled "An Act for the relief of the heirs of the late Peter Desjardins," were then severally read.

A Member enters.

The Honorable Mr. Dunn enters.

Ordered, that the last mentioned bills be read a second time tomorrow.

King's Township
survey bill read third
time, passed and
signed;

Pursuant to the order of the day, the bill entitled, "An Act to authorise a new Survey in the Township of King," was read a third time and passed:

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 have passed this bill without amendment.

Tuesday, 7th April, 1835.

SIR JOHN COLBORNE, K. C. B. *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 impose a duty on various articles imported from the United States of America into this Province." United States duty bill committed.

The Honorable Mr. Dickson took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said bill into consideration, Reported.
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, And referred to a Select Committee.

Ordered, that the Honorable Messrs. Dickson, 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 entitled "An Act to authorise a loan to the President and Directors of the Desjardins Canal Company." Desjardins Canal Company's loan 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 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 tomorrow. Adopted.

The Honorable Mr. Dickson, 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 Gore Bank," presented their report. Report of the Select Committee upon Gore Bank Corporation bill, presented.

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 President, Directors and Company, of the Gore Bank," beg leave to report: Read.
The report.

That they have compared the said bill with the Act passed in the second year of his present Majesty's reign entitled, "An Act to incorporate certain persons under the style and title of the President, Directors and Company, of the Commercial Bank of the Midland District," and find that it is an exact transcript of that Act in all its provisions, except with the difference only, that it has been thought expedient to adopt and embody in the present bill clauses conformable to the Treasury recommendation in a Despatch from the Colonial Department.

This may appear an invidious distinction made in the present bill, and not hitherto enacted in the other Bank Acts which have passed the Legislature.

This clause makes the Stockholders liable to an amount (in case of failure) equal to the stock he may then hold. It depends upon public opinion whether this clause may or may not eventually be injurious to the institution, at all events it cannot be prejudicial to the public; and should it become a law your Committee are persuaded that it would be beneficial to the interests of commerce and agriculture in three very extensive Districts, and discourage the circulation of the paper of distant and doubtful Banks.

All which is respectfully submitted.

Committee Room of the Legislative Council,

6th April, 1835.

Ordered, that the last mentioned bill, and report of the Select Committee thereon, be referred to a Committee of the whole House tomorrow.

The Honorable Mr. Elmsley, from the Select Committee to whom was referred the bill entitled, "An Act to divide the Township of Hawkesbury, in the Ottawa District, into two separate Townships of East and West Hawkesbury," presented their report. Report of the Select Committee upon Hawkesbury Township division 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 divide the Township of Hawkesbury, in the Ottawa District, into two separate Townships of East and West Hawkesbury," beg leave to report:

That as no petition regarding the object of the said bill has been laid upon the table of your Honorable House; nor any notice therefor given in the Upper Canada Gazette, your committee cannot recommend the adoption of the measure.

All which is respectfully submitted.

Legislative Council Committee Room,
7th day of April, 1835.

Petitions of Andrew Cohoe and others; And of William Lawson and others, brought up. The Honorable Mr. Crooks brought up the petition of Andrew Cohoe, and others, inhabitants of the Township of Norwich; and also the petition of William Lawson, and others, inhabitants of the Township of Norwich; which were laid on the table.

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

WEDNESDAY, 8th APRIL, 1835.

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> CLARK,	" " BURNHAM,
	" " DICKSON,	" " ELMSLEY,
	<i>The Hon. & Ven. The</i> ARCHDEACON OF YORK,	" " HAMILTON,
	<i>The Honorable Messrs.</i> MARKLAND,	" " CROOKS,
	" " DUNN,	

Prayers were read.

The Minutes of yesterday were read.

Desjardins Canal Company's loan bill read third time and passed.
Bill signed;

Pursuant to the order of the day, the bill entitled "An Act authorising a loan to the President and Directors of the Desjardins' Canal Company," was read a third time and passed;

Whereupon the Speaker signed the same; and it was,

And the Assembly acquainted of same.

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 amendment.

Gore Bank Corporation bill, and the report thereon, 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 Gore Bank," and the report of the Select Committee thereon.

The Honorable Mr. Clark took the Chair.

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

Bills brought up from the Assembly.

Deputations from the Commons House of Assembly brought up several bills, to which they requested the concurrence of this House: and returned the bill entitled "An Act to reduce to one Act of Parliament the several laws relative to the appointment and duties of Township Officers in this Province," and acquainted this House that the Commons House of Assembly had concurred in the amendments made by the Legislative Council in and to the same—the Deputations then withdrew.

Amendments to Township Officers appointment bill concurred in by 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 Gore Bank," and the report of the Select Committee thereon.

The Honorable Mr. Clark 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 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 tomorrow.

Speaker reports the receipt of health promotion bill;

His Honor the Speaker reported to the House that Deputations from the Commons House of Assembly brought up a bill entitled "An Act to promote the Public Health; and to

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SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

guard against infectious diseases in this Province"; also a bill entitled "An Act to provide additional aid in support of Common Schools in the several Districts in this Province"; also a bill entitled "An Act to revive and continue an Act passed in the tenth year of his late Majesty's reign entitled, 'An Act the better to protect the Mississauga tribes, living on the Indian Reserve at the River Credit, in their exclusive right of fishing and hunting therein';—also a bill entitled, "An Act to authorise the erection of a Mill Dam upon the River Thames, in the London District"; also a bill entitled, "An Act to amend the Police laws of the Town of Prescott"; also a bill entitled, "An Act for the remuneration of Dean S. Howard, for extra work performed by him in the erection of the Trent Bridge"; and also a bill entitled, "An Act to form the County of Norfolk into Ridings, and to erect the same into a separate District, and for other purposes therein mentioned"; to which they requested the concurrence of this House.

Common School aid bill;

Credit Indians fishery protection bill;

Thames Mill dam erection bill;

Prescott Police law amendment bill;

Howard's remuneration bill; And Norfolk's separation bill, from the Assembly.

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

Bills read first time.

Ordered, that the bill entitled, "An Act to promote the Public Health, and to guard against infectious diseases in this Province"; also the bill entitled, "An Act to revive and continue an Act passed in the tenth year of his late Majesty's reign entitled, 'An Act the better to protect the Mississauga tribes, living on the Indian Reserve at the River Credit, in their exclusive right of fishing and hunting therein'; also the bill entitled, "An Act to amend the Police laws of the Town of Prescott"; and also the the bill entitled, "An Act for the remuneration of Dean S. Howard, for extra work performed by him in the erection of the Trent Bridge," be read a second time tomorrow.

The Honorable Messieurs Allan and Baldwin enter.

Members enter.

Ordered, that the bill entitled, "An Act to form the County of Norfolk into Ridings, and also to erect the same into a separate District, and for other purposes therein mentioned," be read a second time tomorrow.

Ordered, that the bill entitled, "An Act to provide additional aid in support of Common Schools in the several Districts in this Province," be referred to the Select Committee to whom was referred the bill entitled, "An Act to promote education."

Common School aid bill referred to the Select Committee upon Education promotion bill.

Ordered, that the bill entitled, "An Act to authorise the erection of a Mill-dam upon the River Thames, in the London District," be referred to a Select Committee, with power to send for persons and papers, and to report thereon by amendment or otherwise; and,

Thames Mill-dam erection bill, referred to a Select Committee.

Ordered, that the Honorable Messrs. Burnham and Hamilton, 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 Court of Requests law;"—also the bill entitled, "An Act granting to His Majesty a sum of money for the improvement of the Roads and Bridges in the several Districts in this Province;"—also the bill entitled, "An Act to explain and amend an Act incorporating the Welland Canal Company, and for appointing Arbitrators for certain purposes therein mentioned;"—and also the bill entitled, "An Act for the relief of the Heirs of the late Peter Desjardins," were severally read a second time; and it was,

Court of Requests law amendment bill; Road and Bridge grant bill;

Welland Canal Company's Charter amendment bill; and Desjardins' heirs relief bill read second time.

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

The order of the day being read for the House to be put into a Committee of the whole upon the further report of the Select Committee to whom was referred the bill entitled, "An Act for the disposal of the Clergy Reserves in this Province, for the purposes of general education," it was,

Further report of the Select Committee upon Clergy Reserves sale bill, discharged from the order of the day.

Ordered to be discharged, and that the same do stand upon the order of the day for tomorrow.

The Honorable Mr. Dickson brought up the petition of James Cummings, of the Village of Chippawa, which was laid on the table.

Petition of James Cummings, brought up.

The Honorable Mr. Clark, from the Select Committee to whom was referred the bill entitled, "An Act to appoint Commissioners to settle disputes respecting certain roads and lines in the Township of Norwich, in the District of London, and to establish the said lines and roads," presented their report.

Report of the Select Committee upon Norwich Survey Commissioners bill, presented.

Ordered that it be received; and,

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

Read.

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The report.

The Select Committee to whom was referred the bill entitled, "An Act to appoint Commissioners to settle disputes respecting certain roads and lines in the Township of Norwich, in the District of London, and to establish the said lines and roads," beg leave to report,

That in the performance of the duty assigned to them by your Honorable House, they sought the best information within their reach, in relation to the necessity for passing the bill, amongst which are two petitions, one from each of the contending parties. By the allegations contained in them, it appears to your Committee that nothing can settle the dispute between the parties, relative to the boundary lines of certain lands in the Township of Norwich but the appointment of Commissioners by law, who will make themselves acquainted with all the facts relative thereto upon the spot, and with the assistance of a land Surveyor will have power to settle permanently the boundary lines of each persons' land, and thus restore harmony and good feeling to a community which for many years past has been divided, and its members rendered hostile to each other, from no other cause than that proposed to be remedied by the bill.

The Commissioners named in the bill, as far as your Committee could ascertain, are as competent to the duty as any others that could be selected, and as the course proposed to be pursued has already, in the instances of Louth and Niagara, proved effectual, they have no reason to doubt, but that should the present bill become a law, it will prove equally beneficial in the present case.

Your Committee beg leave to add, that the usual notice required by one of the Rules of your Honorable House has been duly given.

All which is respectfully submitted.

(Signed)

THOMAS CLARK,
CHAIRMAN.

*Committee Room of the Legislative Council,
8th day of April, 1835.*

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 tomorrow.

Report of a Select Committee appointed to present an address of thanks to His Excellency.

The Honorable Mr. Burnham, from the Select Committee appointed to present an address to the Lieutenant Governor, thanking His Excellency for his several messages of the fourth instant, reported the delivery thereof.

House adjourns.

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

THURSDAY, 9th APRIL, 1835.

House meets.

The House met pursuant to adjournment.

PRESENT :

Members present.

The Honorable JOHN B. ROBINSON, SPEAKER. *The Honorable Messrs.* ELMSLEY,
The Honorable Messrs. CLARK, " " BALDWIN,
" " DICKSON, " " HAMILTON,
" " McDONELL,

Prayers were read.

The Minutes of yesterday were read.

Contingency covering bill, read third time and passed.

Pursuant to the order of the day the bill entitled, "An Act to make good certain monies advanced for the contingent expenses of the last Session of the Legislature of this Province; and also to make good certain monies advanced in compliance with an address of the House of Assembly during the present Session," 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 have passed this bill without amendment.

Members enter.

The Honorable Mr. Crookshank, the Honorable and Venerable the Archdeacon of York, and the Honorable Mr. Burnham, enter.

Thursday, 9th April, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

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 Gore Bank," was read a third time, and passed.

Gore Bank corporation 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 amendment.

And the Assembly acquainted thereof.

The Honorable Messieurs Markland, Allan and Crooks, 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 amend the Charter of King's College.

King's College Charter amendment bill, committed.

The Honorable Mr. Hamilton took the Chair.

After some time the House resumed.

House resumes.

The Honorable Mr. Elmsley moved, that a Select Committee be appointed to frame an address to His Majesty, expressive of the views of this House, upon the form and principle on which an University should be formed, best calculated to promote the welfare of His Majesty's dutiful subjects in this Province, which being seconded,

Motion for an address to His Majesty on the latter subject.

The question of concurrence was put and carried in the negative.

Question put and negatived.

Pursuant to the order of the day, the House was put into a Committee of the whole upon the further report of the Select Committee to whom was referred the bill, entitled, "An Act for the disposal of the Clergy Reserves in this Province, for the purposes of general education."

Further report of the Select Committee upon Clergy Reserves sale bill, committed.

The Honorable Mr. Allan 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 further report of the Select Committee to whom was referred the bill, entitled, "An Act for the disposal of the Clergy Reserves in this Province, for the purposes of general education."

Further report of the Select Committee upon Clergy Reserves sale bill, recommitted.

The Honorable Mr. Allan 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 recommended the same to the adoption of the House.

Reported.

Ordered, that the report be received; and,

Adopted.

Ordered, that it be referred (together with the resolutions on the same subject) to the same Select Committee, with instructions to frame an address to the King and the two Houses of the Imperial Parliament thereon.

And referred to the same Select Committee, with instructions to frame an address to the King thereupon.

His Honor 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 and continue for a limited time an Act passed in the eleventh year of his late Majesty's reign entitled, 'An Act to encourage the establishment of Agricultural Societies in the several Districts of this Province,'"—and also a bill entitled, "An Act to amend and continue the Act granting Militia Pensions," to which they requested the concurrence of this House.

Speaker reports the receipt of Agricultural Societies continuation bill; And Militia Pension 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 tomorrow.

Pursuant to the order of the day, the bill entitled "An Act to promote the Public Health, and to guard against infectious diseases in this Province"; also the bill entitled "An Act to revive and continue an Act passed in the tenth year of his late Majesty's reign entitled, 'An Act the better to protect the Mississauga tribes, living on the Indian Reserve at the River Credit, in their exclusive right of fishing and hunting therein"; also the bill entitled, "An Act to amend the Police laws of the Town of Prescott"; also the bill entitled, "An Act for the remuneration of Dean S. Howard, for extra work performed by him in the erection of the Trent Bridge"; and also the bill entitled, "An Act to form the County of Norfolk into Ridings, and also to erect the same into a separate District, and for other purposes therein mentioned," were severally read a second time; and it was,

Health promotion bill; Credit Indians fishery protection bill;

Prescott Police law amendment bill; Howard's remuneration bill;

And Norfolk's separation bill, read second time.

Ordered, that the House be put into Committees of the whole tomorrow to take the said bills into consideration.

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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 Court of Requests law."

The Honorable Mr. Crooks took the Chair.

House resumes.

After some time the House resumed.

Road and 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 to His Majesty a sum of money for the improvement of the Roads and Bridges in the several Districts in this Province."

The Honorable Mr. Elmsley 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 tomorrow.

Leave granted.

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

Report of the Select
Committee upon
United States duty
bill presented.

The Honorable Mr. Dickson, from the Select Committee to whom was referred the bill entitled "An Act to impose a duty on various articles imported from the United States of America into 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 appointed to take into consideration and report upon a bill entitled "An Act to impose a duty on various articles imported from the United States of America into this Province," have carefully examined the same, and find that by its provisions duties are imposed upon some articles which are now admitted free; on others it lays a specific duty instead of the fifteen per cent established by the Imperial Act, 6th Geo. 4, which has a tendency to increase and in no instance to diminish the rate imposed by the Act alluded to.

Your Committee should feel disposed to recommend the bill to the adoption of your Honorable House, were it not that there is no provision for the free passage of articles through the Province, from which it would arise that flour, wheat, and other provisions, passing through the Welland Canal and down the Saint Lawrence or Rideau Canal, for shipment to a distant market in Lower Canada, must pay the same duty as if the articles were consumed in the Province, which might be productive of much injury to the carrying trade and public works, besides being repugnant to the Imperial Act 6th Geo. 4th, which permits merchandise to be warehoused at particular places, upon bonds being given for their exportation.

As the bill is one for levying money by an imposition of duties, and therefore not such as can be amended by your Honorable House, the Committee recommend that a conference be asked with the Assembly upon the subject matter of it, should it meet with the concurrence of your Honorable House.

All which is respectfully submitted.

(Signed)

WILLIAM DICKSON,

CHAIRMAN.

Committee Room,

8th April, 1835.

Ordered, that the House be again put into a Committee of the whole tomorrow upon the last mentioned bill, and the report of the Select Committee thereon.

Report of the Select
Committee upon
Thames Mill-dam
bill, presented.

The Honorable Mr. Burnham, from the Select Committee to whom was referred the bill entitled, "An Act to authorise the erection of a Mill Dam upon the River Thames, in the London District," 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 a Mill-dam upon the River Thames, in the London District," most respectfully report:

That your Committee have been informed that a Mill-dam, on lot number twenty-eight in the broken front of the Township of Mosa, was erected across the River Thames last summer in the months of July and August, by Singleton Gardner, who departed this life in December last; that the inhabitants of that part of the country were, and now are, opposed to

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having a Dam at that place, as it wholly prevents the fish from ascending the river, and obstructs its navigation.

That from the death of the said Singleton Gardner they were led to believe no law would be passed allowing the said Mill-dam to remain, and therefore did not petition your Honorable House against the present bill; and your Committee are informed that no petition has been laid upon your table for entertaining the measure:—They cannot therefore recommend the adoption of the bill by your Honorable House.

All which is respectfully submitted.

(Signed)

Z. BURNHAM,

CHAIRMAN.

Legislative Council Committee Room,

9th day of April, 1835.

Ordered, that the last mentioned bill, and the report of the Select Committee thereon, be referred to a Committee of the whole House tomorrow.

The Honorable Mr. Burnham brought up the petition of William Young, on behalf of himself and others in the Township of Carradoc, in the County of Middlesex; which was laid on the table.

Petition of William Young and others, brought up.

The Honorable Mr. Clark, from the Select Committee to whom was referred the bill entitled, "An Act to promote education"; and also the bill entitled, "An Act to provide additional aid in support of Common Schools in the several Districts in this Province," presented their report.

Report of the Select Committee upon Education promotion bill, and Common School aid 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 promote education," to report on the same, have examined the principles and provisions of the bill, and have agreed to the following report, which they trust will bring the proposed measure in a clear manner under the review of your Honorable House.

The report.

Your Committee proceeded under a deep sense of the great importance of education to the community, and an ardent desire to find the bill such as they could recommend to the adoption of your Honorable House, and this anxiety was greatly increased from the liberal and encouraging language of the preamble. To provide more amply for the Teachers of the common Schools, and as a consequence to raise the standard of their attainments, is an object of the greatest consequence to the healthy prosperity of this rapidly growing Colony; nor is it less worthy of an enlightened Legislature to take proper means for encouraging in a special manner those youths who distinguished themselves in the earlier part of their education, by providing means to enable them to pursue their studies in the higher seminaries. Such promising youths may be deemed public property, and will amply reward, by their future services to their Country, the patronage that may be shewn them.

Your Committee, however, when they came to the first enacting clause by which the ninth section of the 56th Geo. 3d, chap. 36. is repealed, evidently for the purpose of introducing a new application of the principle of election, felt assured that under such an alteration the valuable objects set forth in the preamble of the bill could never in a satisfactory manner be realised.

As the law now stands the Governor, Lieutenant Governor, or person administering the Government, by the ninth clause of the 56th Geo. 3d, chap. 36, is authorised "to appoint not more than five fit and discreet persons to compose a Board of Education in each and every District of this Province, three of whom shall be a quorum, who shall have full power to superintend such common schools in the District for which they are appointed, and shall annually report to the Governor, Lieutenant Governor, or person administering the Government, the state of the said common schools, to be laid before the Legislature at their meeting."

The present bill proposes to repeal this clause, which is in itself simple and effective, and has been found from an experience of nineteen years to work as well as could have been anti-

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culated from the limited power possessed by the Boards, and for such District Boards to substitute a complicated, burthensome, inefficient, and expensive machinery.

According to the present law the different Boards of Education, consisting of five members for each of the twelve Districts, comprise sixty in all, of the best informed gentlemen in the Province, and they serve gratuitously.

According to the proposed enactment nearly twelve hundred persons are to be employed for the performance of the same duties, and of those nearly three hundred are to be paid out of the school fund for the time they are employed, which your Committee cannot help thinking is an unnecessary waste of public money.

By section second it is enacted, that three proper persons be nominated and appointed at the Township meeting, to be superintendents of schools in the Township for one year.

On this provision your Committee beg leave to remark :—

1st. That they do not find the principle of election applied in this manner in any Country where education is concerned, nor can they believe that a Town meeting is a proper place to select those who are to preside over the morals and intellectual improvement of the rising generation; such superintendents ought to be persons of competent education and moral worth, or they cannot discharge the duties of their office.

2nd. The appointment being only for one year deprives the proposed system of all stability, and nothing can be more pernicious than constant changes in matters of education when those changes arise not from principles maturely considered, but from the tempers, caprices, and incapacity of a rapid succession of different men.

3rd. These superintendents are clothed by section third with power to select three of the most talented and promising scholars in their several Townships for admittance into the District school or other higher seminaries; now this duty not only requires the greatest delicacy in discharging it, but a very superior degree of scholarship on the part of the superintendents; such as, without prejudice to the respectable yeomanry of the Country, cannot in general be found. Indeed the office of superintendent, as laid down in this bill, requires qualifications which will not generally be found among the yeomanry of any Country.

4th. The superintendents are further required to nominate and appoint a fit and proper person to be a Member of the Board of Education, so that in each District the number composing the Board of Education will be one for each organized Township, consequently some Districts will have thirty or forty, and some fewer perhaps than twenty; such numbers will be found to obstruct rather than promote business.

Having found that the bill in its present form would neither be useful nor answer to its preamble without very material alterations, your Committee before entering upon the consideration of them thought it wise to ascertain from the Inspector General, whether the large permanent appropriation charged upon the Provincial Revenue by the sixteenth section could be conveniently met, and having learned from that respectable authority that there was no particular difficulty on that head, your Committee proceeded to deliberate upon the necessary amendments, and beg leave to present them to the consideration of your Honorable House. Your Committee feel constrained, however, to remark, that notwithstanding their endeavours to render the bill practicable by the various alterations which they suggest, it will still be found a very imperfect measure, and much inferior to one which they would have taken the liberty of proposing to your Honorable House had not the Session been so far advanced, and the nature of some of the enactments such as to render it doubtful whether they could have, according to usage, originated in this branch of the Legislature.

AMENDMENTS PROPOSED :

Press 1. line 10.—After “same” expunge to “that” in the fifth line of Press two.

Press 2. line 6.—Expunge “hereby.”

“ “ “ 10.—Expunge “present.”

“ “ “ 11.—After “to do” insert “and”

“ “ “ —After “quorum” expunge the remainder of the clause.

“ “ “ 17.—Expunge “each County” and insert “such District”

“ “ “ —Expunge “such” and insert “the”

“ “ “ —After “education” expunge the remainder of the clause.

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SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

Press 2. line 22.—Expunge “each County” and insert “their District”

“ “ “ 24.—After “chosen by” expunge “such” and insert “the”

“ “ “ —After “education” expunge the remainder of the clause.

Press 3. line 1.—Expunge “such members of”

“ “ “ —Expunge “as reside in the County from which such student shall have been sent will”

Expunge ninth, tenth, eleventh, twelfth, thirteenth and fourteenth clauses.

Press 4. line 10.—After “Province” expunge the remainder of the clause, and insert “for the purposes of education.”

“ “ 22.—After “Districts” expunge the remainder of the clause.

Press 5. line 1.—After “District” expunge the remainder of the clause.

“ “ “ 7.—After “inspection” expunge the remainder of the clause.

All which is respectfully submitted.

(Signed)

THOMAS CLARK,
CHAIRMAN.

*Legislative Council Committee Room,
9th day of April, 1835.*

Ordered, that the last mentioned bills, and the report of the Select Committee thereon, be referred to a Committee of the whole House tomorrow.

The Honorable Mr. Clark gave notice that he would, tomorrow, move that the bill entitled, “An Act to alter the times of holding the Court of Quarter Sessions in the District of Niagara,” be restored to the order of the day. Notice of motion for restoring the Niagara Quarter Sessions bill to the order of the day.

The Honorable Mr. Crooks gave notice that he would, tomorrow, move that the bill entitled, “An Act to confirm British Subjects in their titles to Real Estate derived through Aliens,” be restored to the order of the day. Notice of a motion for restoring Aliens Estate bill to the order of the day.

On motion made and seconded, the House adjourned until tomorrow at eleven of the clock A. M. House adjourns.

FRIDAY, 10th APRIL, 1835.

The House met pursuant to adjournment.

House meets.

PRESENT :

The Honorable JOHN B. ROBINSON, SPEAKER.

The Honorable Messrs. ALLAN,

The Honorable Messrs. CLARK,

“ “ McDONELL,

Members present.

“ “ DICKSON,

“ “ ELMSLEY,

“ “ CROOKSHANK,

“ “ BALDWIN,

The Hon. & Ven. The ARCHDEACON OF YORK,

“ “ HAMILTON,

The Honorable Mr. MARKLAND,

“ “ CROOKS,

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 explain and amend an Act incorporating the Welland Canal Company, and for appointing Arbitrators for certain purposes therein mentioned.” Welland Canal Company's Charter 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 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.—Expunge the last clause.

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 tomorrow.

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Agricultural Societies
continuation bill;
And Militia Pension
amendment bill,
read second time.

Pursuant to the order of the day, the bill entitled, "An Act to amend and continue for a limited time an Act passed in the eleventh year of his late Majesty's reign entitled, 'An Act to encourage the establishment of Agricultural Societies in the several Districts of this Province,'"—and also the bill entitled, "An Act to amend and continue the Act granting Militia Pensions," were severally read a second time; and it was,

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

Health promotion
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 promote the Public Health, and to guard against infectious diseases in this Province."

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 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 tomorrow.

United States duty
bill recommitted.

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 impose a duty on various articles imported from the United States of America into this Province," and the report of the Select Committee thereon.

The Honorable Mr. Dickson took the Chair.

House resumes.

After some time the House resumed.

Desjardins' heirs relief
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 the relief of the Heirs of the late Peter Desjardins."

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 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 tomorrow.

Norwich Survey
Commissioners 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 appoint Commissioners to settle disputes respecting certain roads and lines in the Township of Norwich, in the District of London, and to establish the said lines and roads," and the report of the Select Committee thereon.

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 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 tomorrow.

Credit Indians fishery
protection 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 revive and continue an Act passed in the tenth year of his late Majesty's reign entitled, 'An Act the better to protect the Mississauga tribes, living on the Indian Reserve at the River Credit, in their exclusive right of fishing and hunting therein.'"

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 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 tomorrow.

Prescott 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 to amend the Police laws of the Town of Prescott."

The Honorable Mr. Clark took the Chair.

House resumes.

After some time the House resumed.

A Member enters.

The Honorable Mr. Dunn enters.

Friday, 10th April, 1835.

SIR JOHN COLBORNE, K. C. B. *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 for the remuneration of Dean S. Howard, for extra work performed by him in the erection of the Trent Bridge." Howard's remuneration bill committed.

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, 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.

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, And referred to a Select Committee.

Ordered, that the Honorable Messrs. Burnham, and Elmsley, do compose the same for that purpose. Members composing same.

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 form the County of Norfolk into Ridings, and also to erect the same into a separate District, and for other purposes therein mentioned"; it was, Norfolk's separation bill discharged from the order of the day.

Ordered that it be discharged.

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 for the improvement of the Roads and Bridges in the several Districts in this Province." Road and Bridge grant 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 further progress therein, and asked leave to sit again tomorrow. Reported and leave asked to sit again

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

The Honorable Mr. Elmsley brought up the petition of the Freeman's Point Wharf and Warehouse Association; also the petition of William and James Gardner, of the Township of Mosa, in the County of Middlesex; and also the petition of William Hatellie, and others, inhabitants of Mosa aforesaid; which were laid on the table. Petitions of the Freeman's Point Wharf and Warehouse Association; Of William and James Gardner; and Of William Hatellie, and others, brought up.

The Honorable Mr. Clark, from the Select Committee to whom was referred the bill entitled, "An Act to provide additional aid in support of Common Schools in the several Districts in this Province," presented their report. Report of the Select Committee upon Common School aid bill, presented.

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 provide additional aid in support of Common Schools in the several Districts in this Province," respectfully report: Read.

That they have carefully examined the several provisions contained in the said bill, and recommend it without any amendment to the adoption of your Honorable House. The report.

All which is respectfully submitted.

(Signed)

THOMAS CLARK,
CHAIRMAN.

*Legislative Council Committee Room,
10th day of April, 1835.*

Ordered, that the last mentioned bill, and the report of the Select Committee thereon, be referred to a Committee of the whole House tomorrow.

Pursuant to notice, the Honorable Mr. Clark moved, that the House be again put into a Committee of the whole upon the bill entitled, "An Act to alter the times of holding the Court of Quarter Sessions in the District of Niagara," and that the same do stand upon the order of the day for tomorrow; which being seconded, Motion for restoring Niagara Quarter Sessions bill to the order of the day.

The question of concurrence was put and carried in the affirmative; and it was then,

Ordered, that the House be again put into a Committee of the whole upon the bill entitled, "An Act to alter the times of holding the Courts of Quarter Sessions in the District of Niagara," and that the same do stand upon the order of the day for tomorrow. Question put and carried.

Saturday, 11th April, 1835.

FIRST SESSION TWELFTH PROVINCIAL PARLIAMENT, 5th WILLIAM IV.

Report of the Select Committee upon Dixon's privilege bill, presented.

The Honorable Mr. Elmsley, from the Select Committee to whom was referred the bill entitled, "An Act granting to Adam Dixon, of Moulinette, in the Township of Cornwall, certain privileges contained therein," 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 granting to Adam Dixon, of Moulinette, in the Township of Cornwall, certain privileges contained therein," respectfully report :

That they find neither petition praying for the privilege conferred by the bill, nor any notice published of an intention to apply for the same ; and your Committee further learn that the work in question, so far from being considered serviceable to the public, has been indicted at the general Quarter Sessions as a nuisance, and Mr. Dixon sentenced to a fine in consequence.

Your Committee, under these circumstances, cannot recommend the passing of the bill.

All which is respectfully submitted.

(Signed)

J. ELMSLEY,
CHAIRMAN.

*Legislative Council Committee Room,
10th day of April, 1835.*

Ordered, that the last mentioned bill, and the report of the Select Committee thereon, be Committed 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 the present Session be laid on the table of this House tomorrow morning.

House adjourns.

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

SATURDAY, 11th APRIL, 1835.

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> CLARK,	" " BURNHAM,
" " DICKSON,	" " ELMSLEY,
" " CROOKSHANK,	" " HAMILTON,
<i>The Hon. & Ven. The</i> ARCHDEACON OF YORK,	" " CROOKS,
<i>The Honorable Mr.</i> MARKLAND,	

Prayers were read.

The Minutes of yesterday were read.

Welland Canal Company's Charter amendment bill, as amended, read third time and passed.

Pursuant to the order of the day, the bill entitled, "An Act to explain and amend an Act incorporating the Welland Canal Company, and for appointing Arbitrators for certain 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 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 an amendment, to which they desire the concurrence of the Commons House of Assembly.

Health promotion bill; Desjardins' heirs relief bill; Norwich Survey Commissioners' bill; And Credit Indians Fishery protection bill, read third time and passed.

Pursuant to the order of the day, the bill entitled, "An Act to promote the Public Health, and to guard against infectious diseases in this Province"; also the bill entitled, "An Act for the relief of the Heirs of the late Peter Desjardins"; also the bill entitled "An Act to appoint Commissioners to settle disputes respecting certain roads and lines in the Township of Norwich, in the District of London, and to establish the said lines and roads"; and also the bill entitled, "An Act to revive and continue an Act passed in the tenth year of his late Majesty's reign entitled, 'An Act the better to protect the Mississauga tribes, living on the Indian Reserve at the River Credit, in their exclusive right of fishing and hunting therein"; were severally read a third time and passed ;

Saturday, 11th April, 1835.

SIR JOHN COLBORNE, K. C. B. *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 have passed these bills without amendment.

The Honorable Mr. Baldwin 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 and continue for a limited time an Act passed in the eleventh year of his late Majesty's reign entitled, 'An Act to encourage the establishment of Agricultural Societies in the several Districts of this Province.'"

The Honorable Mr. Burnham 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 some bills, to which they requested the concurrence of this House ; and they 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 passed the accompanying Address to his Excellency the Lieutenant Governor on the subject of settlement duties heretofore required from U. E. Loyalists and Militia claimants ; to which they request the concurrence of the Honorable the Legislative Council.

(Signed)

MARSHALL S. BIDWELL,

SPEAKER.

*Commons House of Assembly,
11th day of April, 1835.*

The Honorable Mr. Allan enters.

The House was then again put into a Committee of the whole upon the bill entitled, "An Act to amend and continue for a limited time an Act passed in the eleventh year of His late Majesty's reign entitled 'An Act to encourage the establishment of Agricultural Societies in the several Districts of this Province.'"

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 amendment to the adoption of the House.

Ordered, that the report be received ; and,

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

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 authorise the issuing of Licenses for the sale of Wine" ; also a bill entitled, "An Act relating to the granting of waste Lands of the Crown" ; and also a bill entitled, "An Act to promote the Freedom of Elections in the County of Leeds," to which they requested the concurrence of this House.

The bill entitled, "An Act to authorise the issuing of Licenses for the sale of Wine," was read ; and it was,

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

The bill entitled, "An Act relating to the granting of the waste Lands of the Crown," was read ; and it was,

Moved and seconded, that this bill be read a second time on Monday next ;

The question being put it was carried in the negative.

The Address to his Excellency the Lieutenant Governor, sent up from the Commons House of Assembly, was read as follows :

To His Excellency SIR JOHN COLBORNE, Knight, Commander of the most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY :

We His Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to direct,

Same signed,

And the Assembly acquainted thereof.

A Member enters.

Agricultural Societies continuation bill, committed.

Bills brought up from the Assembly, And a message transmitting, An address to His Excellency, for concurrence on the subject of U. E. Loyalists settlement duty.

A Member enters.

Agricultural Societies continuation bill, recommitted.

Reported.

Adopted.

Speaker reports the receipt of Wine license bill ; Of waste Crown Lands bill ; And second Leeds Election bill, from the Assembly.

Wine duty bill read first time.

Waste Crown Lands bill, read first time.

Motion for reading the bill a second time carried in the negative.

Address of the Assembly to His Excellency, on the subject of U. E. Loyalists settlement duty, read first time.

The address.

Saturday, 11th April, 1835.

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that all grants of Land hereafter to be made to U. E. Loyalists, and their descendants, and to Militia Claimants, be made without requiring the performance of settlement duties, or any other conditions other than those that existed at the first settlement of the Province, and that this indulgence be extended to such Claimants as have taken out their Location Tickets, but not assigned or otherwise parted with the same.

(Signed)

MARSHALL S. BIDWELL,
SPEAKER.

Commons House of Assembly,
11th day of April, 1835.

Ordered, that the said address be committed to a Committee of the whole House on Monday next.

The bill entitled, "An Act to promote the freedom of Election in the County of Leeds," was read, and it was,

Ordered, that the same be read a second time this day three months.

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 and continue the Act granting Militia Pensions."

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, and recommended that it be referred to a Select Committee with power to send for persons and papers, and to report thereon.

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,

Ordered, that the Honorable Messrs. Markland and Allan, do compose the same for that purpose.

The order of the day being read for the House to be again put into a Committee of the whole upon the bill entitled, "An Act granting to His Majesty a sum of money for the improvement of the Roads and Bridges in the several Districts in this Province;" it was,

Ordered to be discharged, and that the same do stand upon the order of the day for Tuesday 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 promote Education," and the report of the Select Committee thereon.

The Honorable Mr. Crookshank took the Chair.

After some time the House resumed,

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

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

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 provide additional aid in support of Common Schools in the several Districts in this Province," and the report of the Select Committee thereon, it was,

Ordered to be discharged, and that the same do stand upon the order of the day 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 entitled, "An Act to alter the times of holding the Court of Quarter Sessions in the District of Niagara," it was,

Ordered to be discharged, and that the same do stand upon the order of the day for Tuesday next.

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 a Mill-dam upon the River Thames, in the London District," and the report of the Select Committee thereon.

The Honorable Mr. Markland took the Chair.

After some time the House resumed.

Second Leeds election bill, read first time, and ordered for a second reading in three months.
Militia Pension amendment bill, committed.

Reported,

And referred to a Select Committee.

Members composing same.

Road and Bridge grant bill discharged from the order of the day.

Education promotion bill recommitted.

Reported and leave asked to sit again

Leave granted.

Common School aid bill, discharged from the order of the day.

Niagara Quarter Sessions bill discharged from the order of the day.

Thames Mill-dam erection bill, committed.

Monday, 13th April, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

The Chairman reported that the Committee had taken the said bill and report of the Select Committee thereon into consideration, 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.

The Honorable Mr. Crooks brought up the petition of Lewis Horning, and others, Inhabitants of certain Townships in the Home District;—also, the petition of David Lewes, and others, Inhabitants of the Township of Innisfil;—and also the petition of William Weller, which were laid on the table. Petition of James Horning, and others; Of Davis Lewis, and others; And of Wm. Weller, and others, brought up.

The Honorable Mr. Clark, from the Select Committee appointed to prepare an address to His Majesty, on the subject matter of the appropriation of the Clergy Reserves in this Province, reported a draft thereof, which he read in his place. An address to the King relative to the appropriation of the Clergy Reserves, reported by the select Committee.

Ordered, that the report be received; and,

The draft was then again read by the Clerk; and it was, Read first time.

Ordered, that the House be put into a Committee of the whole presently, to take the said address into consideration.

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

The Honorable Mr. Clark 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 without amendment to the adoption of the House. Reported.

Ordered that the report be received; and, Adopted.

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

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

MONDAY, 13th APRIL, 1835.

The House met pursuant to adjournment. House meets.

PRESENT:

<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> DUNN,	
<i>The Honorable Messrs.</i> CLARK,	“ “ McDONELL,	Members present.
“ “ DICKSON,	“ “ BURNHAM,	
“ “ CROOKSHANK,	“ “ ELMSLEY,	
<i>The Hon. & Ven. The</i> ARCHDEACON OF YORK,	“ “ HAMILTON,	

Prayers were read.

The Minutes of Saturday were read.

Pursuant to the order of the day, the bill entitled, “An Act to amend and continue for a limited time, an Act passed in the eleventh year of His late Majesty’s reign, entitled, ‘An Act to encourage the establishment of Agricultural Societies in the several Districts of this Province,’” was read a third time and passed. Agricultural Societies continuation 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 have passed this bill without amendment. Same signed; And the Assembly acquainted thereof.

Pursuant to the order of the day, the address to the King on the subject matter of the appropriation of the Clergy Reserves in this Province, was read a third time and passed. Address to the King relative to the appropriation of the Clergy Reserves, read third time, passed and signed.

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

TO THE KING’S MOST EXCELLENT MAJESTY.

MOST GRACIOUS SOVEREIGN:

WE, Your Majesty’s dutiful and loyal Subjects, the Legislative Council of Upper Canada, in Provincial Parliament assembled, humbly beg leave to represent to your Majesty, that the provision made for the support of a Protestant Clergy in this Province, by the Statute passed in the thirty-first year of the reign of our late most gracious Sovereign King George the Third, has given rise to questions, which after many years agitation of them, are still unsettled, notwithstanding the earnest desire of your Majesty, and of your Royal Predecessor, to bring them to a satisfactory issue. The Address.

Monday, 13th April, 1835.

FIRST SESSION TWELFTH PROVINCIAL PARLIAMENT, 5th WILLIAM IV.

The first occasion for discussing the intention and effect of the Statute referred to was presented by a claim advanced on the part of the Church of Scotland to be allowed to share in the allotment of lands called Clergy Reserves, which claim was grounded upon the language of the Statute, and upon the alleged right of the Church of Scotland to be recognized in the Colonies of the Empire as an established Church. An opinion was not long afterwards publicly expressed that, not merely the Churches of England and Scotland, but every denomination of Protestants, without distinction, should be allowed to participate in the provision.

It is now many years since these claims and opinions were first advanced, and during the period which has intervened the minds of your Majesty's Subjects in this Colony have been rendered anxious and unsettled, by the hopes which have been raised on the one side, and the apprehensions which have been excited on the other.

In the progress of the discussions to which this important subject has given rise, a new ground has been taken, and a measure has been proposed to us for our concurrence which has for its object the entire destruction of the provision which your Majesty's late Royal Father, and his Parliament, have wisely made for the maintenance of public worship, and the dispensing of religious instruction in this extensive and valuable Colony.

In any measure of this description we feel it impossible to concur; and we are relieved from the apprehension that the Clergy Reserves will be ever appropriated to objects not immediately connected with religion, by the very explicit assurance conveyed through the Right Honorable the Secretary of State for the Colonies, that your Majesty can never consent to abandon the interests in question, with a view to any objects of temporary and apparent expediency.

We look upon these allotments as the only source from whence the Ministers of religion can ever derive public support in this Colony. But while we decline to take part in any measure which would deprive the present and future generations of advantages, in their nature inestimable, and which we consider it to be among the first and most sacred duties of a Legislative body to ensure and perpetuate; we nevertheless deeply regret, that the questions which have been agitated with respect to the Clergy Reserves should continue unsettled; and we think it is for many reasons much to be desired that, a speedy and final decision should take place of the questions which have arisen upon the effect of the Statute referred to, and that it should be plainly, certainly, and firmly established, to what specific objects the Clergy Reserves shall be permanently applied. Confiding freely in the wisdom and justice of your Majesty and of Parliament, we earnestly hope, that with as little delay as the subject may admit of, such an enactment may be passed as shall not leave room for doubt or question in regard to the objects to which the proceeds of the Clergy Reserves are to be applied; and that having regard to the present condition and future welfare of this Colony, and maturely considering whatever has been urged, or may be urged in regard to these Reserves, your Majesty and the Imperial Parliament will by some measure which shall be final and unequivocal, make such an appropriation of them as shall appear to be most consistent with a due regard to religion, to the principles of our constitution, and to the permanent welfare and tranquillity of the Province.

Being anxious to contribute to this desirable result by every means in our power, we have applied ourselves to this important subject during the present Session, for the purpose of presenting in as clear and connected a view as we are able, the questions which have arisen in regard to the Clergy Reserves, the grounds on which they have been raised, and the measures which have been taken in relation to them. We have endeavoured to accomplish this in a Report, which accompanies this our humble Address, and in which we have desired carefully to avoid entering into discussion or argument upon the several questions—reposing with entire confidence upon the wisdom of your Majesty and Parliament, for a just and right decision upon a dispassionate and impartial consideration of the existing law, and the interests of your Majesty's Subjects in this Province.

We beg to renew, upon this occasion, our assurance of entire devotion to your Majesty's person and Government.

Monday, 13th April, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

Ordered, that an address be presented to His Excellency the Lieutenant Governor, in the following words;

To His Excellency SIR JOHN COLBORNE, Knight Commander of the Most Honorable Military Order of the Bath, Lieutenant Governor of the Province of Upper Canada, and Major General Commanding His Majesty's Forces therein, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY :

The Legislative Council have passed an humble address to His Majesty, on the subject of the Clergy Reserves in this Province, which they pray Your Excellency will be pleased to transmit, together with the accompanying documents, to His Majesty's Principal Secretary of State for the Colonies, to be by him laid at the foot of the Throne.

Ordered, that the Honorable Messieurs Dickson and Crookshank, be a Committee to wait upon the Lieutenant Governor, to know when His Excellency would be pleased to receive this House with the address to the King.

On motion made and seconded, it was,

Ordered, that one thousand copies of the resolutions, as also the report of the Select Committee, with the appendix and the address to his Majesty, on the subject matter of the appropriation of the Clergy Reserves in this Province, be printed in pamphlet form.

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 Adam Dixon, of Moulinette, in the Township of Cornwall, certain privileges contained therein," and the report of the Select Committee thereon.

The Honorable Mr. Elmsley took the Chair.

After some time the House resumed.

Pursuant to the order of the day, the House was put into a Committee of the whole upon the address of the Assembly to his Excellency the Lieutenant Governor on the subject of the settlement duties heretofore required from U. E. Loyalists and Militia claimants.

The Honorable Mr. Hamilton took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the said address into consideration, and recommended that it be referred to a Select Committee with power to send for persons and papers, and to report thereon.

Ordered, that the report be received ; and,

Ordered, that the said address be referred to a Select Committee with power to send for persons and papers, and to report thereon ; and,

Ordered, that the Honorable Messrs. Clark and Baldwin, do compose the same for that purpose.

The Honorable Mr. Markland 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 promote education," and the report of the Select Committee thereon.

The Honorable Mr. Crookshank 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 they returned the bill entitled "An Act to explain and amend an Act incorporating the Welland Canal Company, and for appointing Arbitrators for certain purposes therein mentioned," and acquainted this House that the Commons House of Assembly had concurred in the amendment made by the Legislative Council in and to the same—and then withdrew.

The House was then again put into a Committee of the whole upon the bill entitled, "An Act to promote education," and the report of the Select Committee thereon.

The Honorable Mr. Crookshank took the Chair.

After some time the House resumed.

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 continue and amend an Act

Address ordered to be presented to His Excellency, requesting him to transmit the foregoing address to the King.

The Address.

Committee appointed to know when His Excellency would receive the address to the King.

Resolutions &c. on the subject of the appropriation of the Clergy Reserves, ordered to be printed.

Dixon's privilege bill, recommitted.

House resumes.

Address of the Assembly to His Excellency, on the subject of U. E. Loyalists settlement duty, committed.

Reported.

And referred to a Select Committee.

Members composing same.

A Member enters.

Education promotion bill recommitted.

Bills brought up from the Assembly,

Amendment to Welland Canal Company's Charter amendment bill, acceded to by the Assembly.

Education promotion bill, recommitted.

House resumes.

Speaker reports the receipt of Wolf Bounty bill ;

Monday, 13th April, 1835.

FIRST SESSION TWELFTH PROVINCIAL PARLIAMENT, 5th WILLIAM IV.

Ducks Light-house Keeper's salary bill; First English Canal bill; Grantham and Bath Academics grant bill; Burlington Bay Canal's aid bill; Steam Dredging Machine grant bill; Toronto Mechanics' Institute promotion bill; Heartley's Point light house bill; and Hall's remuneration bill, from the Assembly.

providing a bounty for the destruction of Wolves in the several Districts in this Province,"—also a bill entitled, "An Act to increase the salary of the Keeper of the False Ducks Light-house"; also a bill entitled, "An Act to authorise the Receiver General to borrow a sum of money in England, and for other purposes"; also a bill entitled, "An Act to make a grant to the Grantham and Bath Academies"; also a bill entitled, "An Act granting further aid to the Burlington Bay Canal"; also a bill entitled, "An Act granting to his Majesty a sum of money for the purchase of a Steam Dredging Machine"; also a bill entitled, "An Act for the promotion of science by enabling the Mechanic's Institute of the City of Toronto to procure certain apparatus"; also a bill entitled, "An Act for the erection of a Light-house on Heartley's Point, on Lake Eric"; and also a bill entitled, "An Act to remunerate Francis Hall, Esquire, Civil Engineer, for services at the Burlington Bay Canal," to which they requested the concurrence of this House.

Bills read first time.

The said bills were then severally read; and it was, Ordered, that they be read a second time tomorrow.

A Member enters.

The Honorable Mr. Allan enters.

Common School aid 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 additional aid in support of Common Schools in the several Districts in this Province," 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 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 tomorrow.

Wine license bill, read second time.

Pursuant to the order of the day, the bill entitled, "An Act to authorise the issuing of Licenses for the sale of Wine," 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. Dickson took the Chair.

After some time the House resumed.

House resumes.

Petition of the President &c. of the Freeman's Wharf and Warehouse Association; Of Lewis Horning, and others; Of David Lewes, and others; And of Wm. Weller, read.

Pursuant to the order of the day, the petition of the Directors and Company of the Freeman's Wharf and Warehouse Association, praying for aid; also the petition of Lewis Horning, and others, inhabitants of certain Townships in the Home District, praying for a grant of money to be expended in the improvement of a new road therein; also the petition of David Lewes, and others, inhabitants of the Township of Innisfil, praying for a grant of money to be expended in the improvement of the road leading to Lenox's settlement; and also the petition of William Weller, praying that a further grant of money may be allowed for building a bridge over the River Rouge, and cutting down the hill on the East side of the said River, were severally read.

On motion made and seconded, it was,

Ordered, that the House be put into a Committee of the whole upon the bill entitled, "An Act to confirm British Subjects in their titles to real estate derived through Aliens," and that the same do stand upon the order of the day for tomorrow.

Contingent Accounts referred to a Select Committee.

On motion made and seconded, it was,

Ordered, that the Contingent Accounts of the present Session be referred to a Select Committee to examine and report thereon; and,

Members composing same.

Ordered, that the Honorable Messrs. Allan, Burnham, and Baldwin, be that Committee.

House adjourns.

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

Tuesday, 14th April, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

TUESDAY, 14th APRIL, 1835.

The House met pursuant to adjournment.

House meets.

PRESENT :

<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> ELMSLEY,
<i>The Honorable Messrs.</i> CLARK,	" " BALDWIN,
" " CROOKSHANK,	" " HAMILTON,
" " MARKLAND,	" " CROOKS,
" " McDONELL,	

Members present.

Prayers were read.

The Minutes of yesterday were read.

The Honorable Mr. Dickson, from the Committee appointed to wait upon the Lieutenant Governor, to know when his Excellency would be pleased to receive this House with their address to the King on the subject matter of the appropriation of the Clergy Reserves in this Province, reported that they had done so, and that his Excellency had been pleased to name this day, at the hour of twelve of the clock at noon, for receiving the same.

Report of the Select Committee appointed to know when His Excellency would receive this House with their address to the King.

Pursuant to the order of the day, the bill entitled, "An Act to provide additional aid in support of Common Schools in the several Districts in this Province," was read a third time and passed.

Common School aid 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 amendment.

And the Assembly acquainted thereof.

On motion made and seconded, it was,

Ordered, that the Honorable Messrs. McDonell, and Elmsley, be added to the Select Committee appointed to examine and report upon the Contingent Accounts of this House for the present Session.

Members added to the Committee upon the Contingent Accounts.

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 the times of holding the Court of Quarter Sessions in the District of Niagara."

Niagara Quarter Sessions bill, recommitted.

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 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 tomorrow.

The Honorable Mr. Dunn enters.

A Member enters.

At the time appointed the Legislative Council proceeded to the Government House with their address to the King, on the subject matter of the appropriation of the Clergy Reserves in this Province; and being returned,

The Council presents their address to the King to His Excellency, and returns.

His Honor the Speaker reported, that his Excellency had been pleased to receive the address of this House to the King, and to reply thereto as follows :

Speaker reports His Excellency's reply.

GENTLEMEN,

I will take an early opportunity of transmitting to the Secretary of State for the Colonies this address to the King on the important subject of the Clergy Reserves, to be laid before His Majesty.

The reply.

The order of the day being read for the House to be again put into a Committee of the whole upon the bill entitled, "An Act granting to His Majesty a sum of money for the improvement of the Roads and Bridges in the several Districts in this Province;" it was,

Road and Bridge grant bill discharged from the order of the day.

Ordered to be discharged, and that the same do stand upon the order of the day for tomorrow.

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 confirm British Subjects in their titles to Real Estate derived through Aliens."

Aliens estate bill, recommitted.

The Honorable Mr. Baldwin took the Chair.

After some time the House resumed.

Tuesday, 14th April, 1835.

FIRST SESSION TWELFTH PROVINCIAL PARLIAMENT, 5th WILLIAM IV.

- Reported, The Chairman reported that the Committee had gone through the said bill, and recommended the same without 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 tomorrow.
- Wolf bounty bill, read second time. Pursuant to the order of the day, the bill entitled, "An Act to continue and amend an Act providing a bounty for the destruction of Wolves in the several Districts of this Province," 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. 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. In the title, line 1.—Expunge "and amend"
In the bill, Press 1, line 5.—Expunge "revive and amend" and insert "continue"
" " 12.—After "same" expunge the remainder of the bill, and insert "that the said Act shall be and remain in force for four years, and from thence to the end of the then next ensuing Session of Parliament."
- 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 tomorrow.
- Ducks Light-house Keeper's salary bill, read second time. Pursuant to the order of the day, the bill entitled, "An Act to increase the salary of the Keeper of the False Ducks Light-house," 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 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 tomorrow.
- First English loan bill, read second time. Pursuant to the order of the day, the bill entitled, "An Act to authorise the Receiver General to borrow a sum of money in England, and for other purposes," 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. Markland 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 they returned the bill entitled, "An Act to prevent the unnecessary multiplication of lawsuits, and increase of costs in actions on notes, bonds, bills of exchange and other instruments," 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.
- Amendments to Law-suits prevention bill, concurred in by the Assembly.
- Message from the Assembly requesting that the Hon. W. Allan may be permitted to attend a Select Committee of that House. The same Deputation brought up and delivered at the Bar of this House, two Messages in the following words, and then withdrew.
MR. SPEAKER,
The Commons House of Asssembly requests that leave may be granted by the Honorable the Legislative Council to the Honorable William Allan, to attend a Select Committee

Tuesday, 14th April, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

appointed to examine and report upon the petition of Leonard Wilcox.

(Signed) MARSHALL S. BIDWELL,

SPEAKER.

Commons House of Assembly,

11th day of April, 1835.

MR. SPEAKER,

The Commons House of Assembly requests the Honorable the Legislative Council will allow the Honorable George H. Markland, to attend and give evidence before the Select Committee to whom was referred his Excellency's message relative to grants of land.

(Signed) MARSHALL S. BIDWELL,

SPEAKER.

Commons House of Assembly,

14th day of April, 1835.

The House was then again put into a Committee of the whole upon the bill entitled, "An Act to authorise the Receiver General to borrow a sum of money in England, and for other purposes."

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 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 4, line 15.—After "of" insert "the premium or other profits received, and"

Press 5.—Add to the twelfth clause "and that the said one hundred thousand pounds; or so much thereof as may be raised in this Province, shall be paid off by the Receiver General out of the sum of four hundred thousand pounds authorised to be borrowed in England, and shall not constitute an additional loan."

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 forty-fourth rule be dispensed with as it regards the said bill; and,

Ordered, that the said amendments be engrossed, and the bill as amended read a third time this day.

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 provide for holding Elections in the County of Leeds," to which they requested the concurrence of this House.

The said bill was then read; and it was,

Ordered, that the same be read a second time tomorrow.

Ordered, that the Honorable Messieurs Allan and Markland, do have leave to attend Select Committees of the Commons House of Assembly, as desired by that House in their several Messages received this day, if they think fit; and,

Ordered, that the Master in Chancery do go down to the Assembly and acquaint that House, that the Legislative Council do give leave to the Honorable Messieurs Allan and Markland to attend Select Committees of the Commons House of Assembly, as desired by that House in their several Messages received this day, if they think fit.

Pursuant to the order of the day, the bill entitled, "An Act to make a grant to the Grantham and Bath Academies," 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.

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

The Honorable Mr. Elmsley took the Chair.

After some time the House resumed.

Message from the Assembly requesting that the Hon. G. H. Markland may be permitted to attend a Select Committee of that House.

First English loan bill, recommitted.

Amendments reported.

Read first time.

The amendments.

Read second time, and adopted.

44th Rule dispensed with.

Speaker reports the receipt of third Leeds Election bill from the Assembly.

Read first time.

Leave granted to the Hon. Messrs. Allan and Markland, to attend Select Committees of the Assembly, and that House acquainted thereof.

Grantham and Bath Academies grant bill, read second time.

Committed.

House resumes.

Tuesday, 14th April, 1835.

FIRST SESSION TWELFTH PROVINCIAL PARLIAMENT, 5th WILLIAM IV.

Third reading of the first English Loan bill, as amended, postponed.

The order of the House being read for reading the bill entitled, "An Act to authorise the Receiver General to borrow a sum of money in England, and for other purposes," (as amended,) the third time; it was,

Ordered that the same be postponed.

Burlington Bay Canal's aid bill, read second time.

Pursuant to the order of the day, the bill entitled, "An Act granting further aid to the Burlington Bay Canal," 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.

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 1, line 17.—Expunge "hereby appointed," and insert "of the said Canal."

Expunge the second and seventh clauses.

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 tomorrow.

Report of the Select Committee upon Howard's remuneration bill, presented.

The Honorable Mr. Elmsley, from the Select Committee to whom was referred the bill entitled, "An Act for the remuneration of Dean S. Howard, for extra work performed by him in the erection of the Trent Bridge," 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 for the remuneration of Dean S. Howard for extra work performed by him in the erection of the Trent Bridge," beg leave respectfully to report:

That from the documentary evidence which has been adduced, it appears that the Trent Bridge is finished in a most substantial and workman-like manner.

That the amount of the original contract was too small.

That several alterations and additions were made to the work by the Commissioners.

That the Commissioners themselves are of opinion that the Contractor has lost money.

That the sum mentioned in the bill would be sufficient remuneration.

It also appears from the evidence of the Members of the House of Assembly resident in the neighbourhood, and personally acquainted with the Contractor, that the embarrassments have arisen, in some degree, from the circumstance of his being a Foreigner, and therefore obliged to make sacrifices to obtain sureties; and also from his being of a peaceable and quiet disposition, and thereby more disposed to give way to unreasonable demands on the part of those he employed, than to combat them by an appeal to the laws.

From all these considerations your Committee are induced to recommend the bill to the favorable consideration of your Honorable House.

Your Committee beg leave to remark, that one hundred pounds still remain unexpended in the hands of the Commissioners.

All which is respectfully submitted.

Legislative Council Committee Room,

14th day of April, 1835.

Ordered, that the last mentioned bill, and the report of the Select Committee thereon, be referred to a Committee of the whole House tomorrow.

Steam Dredging Machine grant bill;
Toronto Mechanics' Institute promotion bill;
And Heartley's Point light-house bill, read second time.

Pursuant to the order of the day, the bill entitled, "An Act granting to his Majesty a sum of money for the purchase of a Steam Dredging Machine"; also the bill entitled, "An Act for the promotion of science by enabling the Mechanic's Institute of the City of Toronto to procure certain apparatus"; also the bill entitled, "An Act for the erection of a Light-house on Heartley's Point, on Lake Erie," were severally read a second time; and it was,

Wednesday, 15th April, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

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

Pursuant to the order of the day, the bill entitled, "An Act to remunerate Francis Hall, Esquire, Civil Engineer, for services at the Burlington Bay Canal," was read a second time ; and it was,

Hall's remuneration 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.

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

Members composing same.

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

House adjourns.

WEDNESDAY, 15th APRIL, 1835.

The House met pursuant to adjournment.

House meets.

PRESENT:

The Honorable JOHN B. ROBINSON, SPEAKER. The Honorable Messrs. ALLAN, CLARK, DICKSON, CROOKSHANK, MARKLAND, DUNN, McDONELL, ELMSLEY, BALDWIN, HAMILTON, CROOKS,

Members present.

Prayers were read.

The Minutes of yesterday were read.

Pursuant to the order of the day, the bill entitled, "An Act to alter the times of holding the Court of Quarter Sessions in the Niagara District;" also the bill entitled, "An Act to confirm British Subjects in their titles to Real Estate derived through Aliens;" and also the bill entitled, "An Act to increase the salary of the Keeper of the False Ducks Light-house," were severally read a third time and passed.

Niagara Quarter Sessions bill; Aliens estate bill; and Ducks Light-house Keeper's salary 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 amendment.

And the Assembly acquainted thereof.

Pursuant to the order of the day, the bill entitled, "An Act to continue and amend an Act providing a bounty for the destruction of Wolves in the several Districts of this Province," was as amended read a third time ; and,

Wolf bounty 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 amendments, to which they request 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 authorise a loan to be raised in the manner therein mentioned;" also a bill entitled, "An Act granting to His Majesty a sum of money towards defraying the expense of the administration of the Civil Government of this Province;" and also a bill entitled, "An Act to make good certain monies advanced by His Excellency, to defray the expenses incurred by the Cholera in 1834," to which they requested the concurrence of this House, and then withdrew.

Second English loan bill; First Civil List bill; And Cholera covering 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 regards the said bills, and that they be read a second time this day.

44th Rule dispensed with.

Pursuant to the order of the day, the bill entitled, "An Act granting further aid to the Burlington Bay Canal," was as amended read a third time ; and,

Burlington Bay Canal's aid 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 ;

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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 amendments, to which they request the concurrence of the Commons House of Assembly.

Road and Bridge grant bill, recommitted.

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 for the improvement of the Roads and Bridges in the several Districts in this Province."

The Honorable Mr. Elmsley took the Chair.

House resumes.

After some time the House resumed.

Howard's remuneration bill, recommitted.

Pursuant to the order of the day, the House was again put into a Committee of the whole upon the bill entitled, "An Act for the remuneration of Dean S. Howard, for extra work performed by him in the erection of the Trent Bridge, and the report of the Select Committee thereon.

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 amendment to the adoption of the House.

Adopted.

Ordered, that the report be received.

44th Rule dispensed with.

Ordered, that the forty-fourth rule be dispensed with as it regards this bill; and,

Ordered, that it be read a third time this day.

Steam Dredging Machine 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 to His Majesty a sum of money for the purchase of a Steam Dredging Machine."

The Honorable Mr. Hamilton 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 amendment to the adoption of the House.

Adopted.

Ordered, that the report be received; and,

44th Rule dispensed with.

Ordered, that the forty-fourth rule be dispensed with as it regards this bill; and,

Ordered, that the same be read a third time this day.

Toronto Mechanics' Institute promotion 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 the promotion of science, by enabling the Mechanics' Institute of the City of Toronto to procure certain apparatus."

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 amendment to the adoption of the House.

Adopted.

Ordered, that the report be received; and,

44th Rule dispensed with.

Ordered, that the forty-fourth rule of this House be dispensed with as it regards this bill, and,

Ordered, that the same be read a third time this day.

Heartley's Point light house 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 the erection of a Light-house on Heartley's Point, on Lake Eric."

The Honorable Mr. Crooks took the Chair.

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

Amendments to imprisonment for debt abolition bill, and to absconding Debtors continuation bill, concurred in by the Assembly.

A Deputation from the Commons House of Assembly returned the bill entitled, "An Act to abolish imprisonment for debt in certain cases within this Province;" and also the bill entitled, "An Act to continue the law for attaching the property of absconding Debtors," and acquainted this House that the Commons House of Assembly had acceded to the amendments made by the Legislative Council in and to these bills, and then withdrew.

Heartley's Point light-house bill, recommitted.

The House was then again put into a Committee of the whole upon the bill entitled, "An Act for the erection of a Light-house on Heartley's Point, on Lake Eric."

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 amendment to the adoption of the House.

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SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

Ordered that the report be received ; and,	Adopted.
Ordered, that the forty-fourth rule be dispensed with as it regards this bill ; and,	44th Rule dispensed with.
Ordered, that the same be read a third time this day.	
Pursuant to the order of the day, the bill entitled, "An Act to provide for holding Elections in the County of Leeds," was read a second time.	Third Leeds election bill, read second time.
The Honorable and Venerable the Archdeacon of York enters.	A Member enters.
Pursuant to order, the bill entitled, "An Act to authorise a loan, to be raised in the manner therein mentioned," was read a second time ; and it was,	Second English loan 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 amendment to the adoption of the House.	Reported.
Ordered, that the report be received ; and,	Adopted.
Ordered, that the forty-fourth rule be dispensed with as it regards this bill ; and,	44th Rule dispensed with.
Ordered, that the said bill be read a third time this day.	
Pursuant to order, the bill entitled, "An Act granting to His Majesty a sum of money towards defraying the expense of the administration of the Civil Government of this Province," was read a second time ; and it was,	First Civil List 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 taken the said bill 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 the said bill ; and,	Same ordered.
Ordered, that the Honorable Messieurs Dickson and Allan, 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 request a conference with the Commons House of Assembly on the subject matter of the bill entitled, "An Act granting to his Majesty a sum of money towards defraying the expense of the administration of the Civil Government of this Province," and have appointed the Honorable Messieurs Dickson and Allan, on their part, who will be ready to meet a Committee on the part of the Commons House of Assembly this day at four of the clock P. M. in the Committee Room of the Legislative Council for that purpose.	Assembly acquainted of same.
Pursuant to order, the bill entitled, "An Act to make good certain monies advanced by his Excellency, to defray the expenses incurred by the Cholera in 1834," was read a second time ; and it was,	Cholera covering 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. 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 amendment to the adoption of the House.	Reported.
Ordered, that the report be received ; and,	Adopted.
Ordered, that the forty-fourth rule be dispensed with as it regards this bill ; and,	44th Rule dispensed with.
Ordered, that the same be read a third time this day.	

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Howard's remuneration bill; Steam Dredging Machine grant bill; Toronto Mechanics' Institute promotion bill; Heartley's Point light-house bill; And Second English loan bill, read third time and passed.

Pursuant to order, the bill entitled, "An Act for the remuneration of Dean S. Howard for extra work performed by him in the erection of the Trent Bridge"; also the bill entitled, "An Act granting to His Majesty a sum of money for the purchase of a Steam Dredging Machine"; also the bill entitled, "An Act for the promotion of science, by enabling the Mechanics' Institute of the City of Toronto to procure certain apparatus"; also the bill entitled, "An Act for the erection of a Light-house on Heartley's Point, on Lake Erie"; and also the bill entitled, "An Act to authorise a loan to be raised in the manner therein mentioned," were severally read a third time and passed;

Bills 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 amendment.

Report of the Select Committee upon Militia Pension amendment bill, presented.

The Honorable Mr. Allan, from the Select Committee to whom was referred the bill entitled, "An Act to amend and continue the Act granting Militia Pensions," 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 "An Act to amend and continue the Act granting Militia Pensions," to report upon the same, find that the bill is intended to continue the Militia Pension law which is about to expire, and to add others to the list who have not before received Pensions.

They have made inquiry relative to the persons so to be included in the Pension list, and learn that, although at the time of the first examination they were not recommended, yet the lapse of time has caused their wounds to produce great disability to maintain themselves; and as the Lieutenant Governor is to appoint the Surgeons who are again to examine them before they can avail themselves of the benefit of this Act, there does not appear to be any reason for withholding the assent of your Honorable House from the bill referred to your Committee.

All which is respectfully submitted.

(Signed)

GEORGE H. MARKLAND,
CHAIRMAN.

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.

Report of the Select Committee upon the address of the Assembly relative to U. E. Loyalists' Settlement Duty, presented.

The Honorable Mr. Clark, from the Select Committee appointed to report upon the address of the Commons House of Assembly to his Excellency the Lieutenant Governor on the subject of the settlement duty required from U. E. Loyalists and Militia claimants, presented their report.

Ordered that it be received; and,

Read.

The same was then read by the Clerk as follows:

The report.

The Committee appointed to report upon the expediency of concurring with the Assembly in an address to his Excellency the Lieutenant Governor on the subject of grants of land made to U. E. Loyalists and Militia Claimants, have taken the same into consideration.

As it is the duty of the Inspector General to examine all claims of U. E. Loyalists, they referred to him for information, and learned that a report had been prepared by the Executive Council on the subject of those claims and other free grants, which has been referred to his Majesty's Government for their decision thereon, the tenor of which was, that in future all deeds shall issue to the locatee, and be transmitted to the Clerks of the Peace of the District in which the parties reside, to be delivered to them or their agents.

As there is no reason to suppose that the Lieutenant Governor will direct any change to be made in the mode of issuing patents without a reference to the Colonial Department, they do not consider it necessary to adopt any further measures until a reply has been received to the recommendation of his Excellency in Council contained in the report before alluded to.

All which is respectfully submitted.

(Signed)

THOMAS CLARK,
CHAIRMAN.

Legislative Council Committee Room,
April 15th, 1835.

Wednesday, 15th April, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

Ordered, that the House be put into a Committee of the whole on the said report this day.

The Honorable Mr. Allan, from the Select Committee appointed to examine and report upon the Contingent Accounts of this House for the present Session, presented their report.

Report of the Select Committee upon the Contingent Accounts, presented.

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 Council beg leave to report that they have done so, and have to report thereon as follows :

The report.

That the amount of the Contingencies of the Clerk, including £795 15s. 6d.

expense incurred by the Committee in fitting up the Chamber, and unpaid, and £155 5s. 0d. for the payment of the Pew in Saint James' Church, is.....

£1,978 15 10

That the amount of the Contingencies of the Usher of the Black Rod, is 169 16 11

£2,148 12 9

Your Committee recommend that the same allowance to the Clerk as he received last Session, namely, four hundred pounds, and that the addition of fifty pounds then made to the Usher of the Black Rod be continued ; also the Door Keeper, the extra sum of forty pounds, in addition to the twenty formerly received by him.

Your Committee would further recommend to the notice of your Honorable House a communication from Mr. Taylor, the first Clerk in the Office, to the Clerk of the House.

All which is respectfully submitted.

(Signed)

WILLIAM ALLAN,
CHAIRMAN.

*Legislative Council Committee Room,
15th April, 1835.*

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

Pursuant to order, the bill entitled, " An Act to make good certain monies advanced by his Excellency to defray the expenses incurred by the Cholera in 1834," was read a third time and passed ;

Cholera covering 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 amendment.

And the Assembly acquainted thereof.

Pursuant to order, the House was again put into a Committee of the whole upon the bill entitled, " An Act to amend and continue the Act granting Militia Pensions," and the report of the Select Committee thereon.

Militia Pension 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 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 this bill, and,

44th Rule dispensed with.

Ordered, that the same be read a third time this day.

Pursuant to order, the House was put into a Committee of the whole on the report of the Select Committee upon the address of the Commons House of Assembly to his Excellency the Lieutenant Governor, on the subject of the settlement duty required from U. E. Loyalists and Militia Claimants.

Report of the Select Committee upon the address of the Assembly relative to the U. E. Loyalists' settlement duty, committed.

The Honorable Mr. Allan took the Chair.

After some time the House resumed.

The Chairman reported that the Committee had taken the report of the Select Committee into consideration, and recommended it to the adoption of the House.

Reported.

Ordered that the report be received ; and,

Adopted.

Ordered, that a copy of the last mentioned report of the Select Committee be sent to the Commons House of Assembly by the Master in Chancery, for the information of that House.

And a copy of the report sent to the Commons House of Assembly.

Wednesday, 15th April, 1835.

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- Militia Pension amendment bill read third time and passed. Pursuant to order, the bill entitled, "An Act to amend and continue the Act granting Militia Pensions," 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 amendment.
- Report of the Select Committee upon the Contingent Accounts, committed. Pursuant to order, the House was put into a Committee of the whole upon the report of the Select Committee appointed to examine and report upon the Contingent Accounts of this House for the present Session.
- The Honorable Mr. Crooks took the Chair.
- After some time the House resumed.
- Reported. The Chairman reported that the Committee had taken the said report of the Select Committee into consideration, and recommended the same to the adoption of the House.
- Adopted. Ordered, that the report be received.
- It was moved and seconded, that it be,
- Resolution moved for printing the Journals, and allowing the Clerk £100 for superintending same. *Resolved*, That the Journals of this House be printed, and that one hundred pounds be allowed the Clerk of this House 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.
- Resolution moved for allowing the Clerk £100. *Resolved*, 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 last Parliament.
- Resolution moved for allowing £50 to the Chaplain. *Resolved*, That the sum of fifty pounds be paid to the Reverend Chaplain of this House for extra services.
- Resolution moved for allowing the Master in Chancery £50. *Resolved*, That the Master in Chancery be allowed fifty pounds in addition to his present salary, agreeably to the recommendation of the Select Committee, appointed during the third Session of the last Parliament, upon the Contingent Accounts.
- Resolution moved for allowing the Usher of the Black Rod £50. *Resolved*, That the sum of fifty pounds be paid to the Usher of the Black Rod, agreeably to the recommendation of the Select Committee, appointed during the third Session of the last Parliament, upon the Contingent Accounts.
- Resolution moved for allowing the Door-keeper £40. *Resolved*, That the Door-keeper be allowed the sum of forty pounds for extra services during the present Session.
- Resolution moved for paying the Clerk £50, to enable him to purchase copies of the revised Statutes. *Resolved*, That the sum of fifty pounds be paid to the Clerk of this House, to enable him to purchase copies of the Statutes, published at Kingston, for the use of the Members.
- Resolution moved for fitting up the room adjoining to the Committee Room. *Resolved*, That during the recess the room next adjoining to the Committee Room of this House, in the west end of the building, be fitted up for the additional convenience of the Committees of this House, and for the use of the Members.
- 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, that the Journals of this House be printed, and that one hundred pounds be allowed to the Clerk of this House 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.
- Ordered, 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 last Parliament.
- Ordered, that the sum of fifty pounds be paid to the Reverend Chaplain of this House for extra services.
- Ordered, that the Master in Chancery be allowed fifty pounds in addition to his present salary, agreeably to the recommendation of the Select Committee, appointed during the third Session of the last Parliament, upon the Contingent Accounts.
- Ordered, that the sum of fifty pounds be paid to the Usher of the Black Rod, agreeably to the recommendation of the Select Committee, appointed during the third Session of the last Parliament, upon the Contingent Accounts.
- Ordered, that the Door-keeper be allowed the sum of forty pounds for extra services during the present Session.
- Ordered, that the sum of fifty pounds be paid to the Clerk of this House, to enable him to purchase copies of the Statutes, published at Kingston, for the use of Members.

Wednesday, 15th April, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

Ordered, that during the recess the room next adjoining to the Committee Room of this House, in the West end of the Building, be fitted up for the additional convenience of the Committees of this House, and for the use of the Members.

The Honorable the Speaker communicated to the House a certain Resolution passed by the Legislative Council of New Brunswick; and a letter from the Clerk thereof transmitting the same to the Clerk of this House; which were read as follows:

Speaker communicates a resolution of the Legislative Council of New Brunswick, and a letter from the Clerk thereof.
Same read.

NEW BRUNSWICK,
Legislative Council Chamber, 4th March, 1835.

Resolved, That the Clerk be directed to make arrangements for interchanging the Laws of this Province with the several Legislative Councils of Lower Canada, Upper Canada, Nova Scotia, and Prince Edward Island, for the Laws of those Provinces respectively, for the use of this House; such arrangement to extend to the existing Laws of the several Provinces, as well as to any future Laws to be passed.

The resolution desiring to interchange the Laws of New Brunswick for those of this Province.

A true extract.

(Signed)

WM. TYNYPETERS,
Clerk, Legislative Council.

FREDERICTON, NEW BRUNSWICK,
24th March, 1835.

SIR,

By direction of the Honorable the Legislative Council of this Province I have the honor to forward to you, by mail, a copy of the Journals of that House; and also to enclose a copy of a Resolution recently passed that House, and to acquaint you, the Laws of the Province (now under revision) will be forwarded to you at the earliest moment they can be obtained, and in future they will be transmitted to you annually.

The letter from the Clerk upon the same subject.

I will feel obliged by any aid you can afford me further to carry into effect the wishes expressed in the Resolution.

I have the honor to be,

Your most obed't. Serv't.

(Signed)

WM. TYNYPETERS,
Clk. Legislative Council.

To GRANT POWELL, Esq.

Clk. Legislative Council, &c. &c. &c.
Upper Canada.

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 accedes to the request of the Honorable the Legislative Council, for a conference on the bill sent up from this House, entitled, "An Act granting to His Majesty a sum of money towards defraying the expense of the administration of the Civil Government of this Province," and has appointed a Committee of four of its Members, who will be ready to meet the Conferrees on the part of the Honorable the Legislative Council, at the time and place appointed.

Message from the Assembly acceding to a conference upon first Civil List bill.

(Signed)

MARSHALL S. BIDWELL,
SPEAKER.

Commons House of Assembly,
15th day of April, 1835.

Ordered, that the Committee of Conference on the part of this House, be instructed that the Legislative Council have requested a conference with the Commons House of Assembly, for the purpose of calling their attention to the circumstance, that in the bill entitled, "An Act granting to His Majesty a sum of money towards defraying the expense of the administration of the Civil Government of this Province," different salaries have been apportioned to the Clerks in the several offices, by naming them in the bill, which is a departure from the course heretofore pursued and sanctioned by the Legislative Council.

Instructions to the Conferrees of this House.

It will readily occur to the House of Assembly that by such a change it would be put out of the power of the Lieutenant Governor to fill any vacancy which may occur from the death,

Thursday, 16th April, 1835.

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resignation, or absence of any of the persons holding those situations, which might prove highly embarrassing, and indeed prevent the performance of duties most important to the public service.

The Council, therefore, consider that this departure from former usage has arisen from inadvertency, and not from any intention to give to those individuals a claim for compensation whether they retain their places or not.

Their report.

The Honorable Mr. Dickson, from the said Committee of Conference, reported the delivery of their instructions.

It was moved and seconded, that it be

Resolution moved for paying Lewis Bright £50.

Resolved, That the sum of fifty pounds be paid to Lewis Bright, being so much omitted to be included as usual in the account of the Usher of the Black Rod, for the present Session.

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, that the sum of fifty pounds be paid to Lewis Bright, being so much omitted to be included as usual in the account of the Usher of the Black Rod, for the present Session.

House adjourns.

On motion made and seconded, the House adjourned until eleven of the clock A. M. tomorrow.

THURSDAY, 16th APRIL, 1835.

House meets.

The House met pursuant to adjournment.

PRESENT :

Members present.	<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER.	<i>The Honorable Messrs.</i> ALLAN,
	<i>The Honorable Messrs.</i> CLARK,	“ “ McDONELL,
	“ “ DICKSON,	“ “ ELMSLEY,
	“ “ CROOKSHANK,	“ “ BALDWIN,
	“ “ MARKLAND,	“ “ HAMILTON,
	“ “ DUNN,	“ “ CROOKS,

Prayers were read.

The Minutes of yesterday were read.

It was moved and seconded, that it be,

Resolution moved for paying Lewis Bright £42. 6s.

Resolved, That the sum of forty-two pounds five shillings, omitted by an error in carrying out the item in the Clerk's account for the payment of Lewis Bright's services during the recess, be paid to the said Lewis Bright.

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, that the sum of forty-two pounds five shillings, omitted by an error in carrying out the item in the Clerk's account for the payment of Lewis Bright's services during the recess, be paid to the said Lewis Bright.

It was moved and seconded, that it be,

Resolution moved for paying John Bright and Thomas Cooper £46.

Resolved, That the sum of forty-six pounds be paid to the Usher of the Black Rod, to enable him to pay to John Bright, and Thomas Cooper, for their attendance on this House as Messengers during the present Session, being for ninety-two days each, at five shillings per diem.

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, that the sum of forty-six pounds be paid to the Usher of the Black Rod, to enable him to pay to John Bright, and Thomas Cooper, for their attendance on this House as Messengers during the present Session, being for ninety-two days each, at five shillings per diem.

Report of the Select Committee upon Hall's remuneration bill, presented.

The Honorable Mr. Dickson, from the Select Committee to whom was referred the bill entitled, "An Act to remunerate Francis Hall, Esquire, Civil Engineer, for services at the Burlington Bay Canal," presented their report.

Ordered that it be received; and,

Read.

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

Thursday, 16th April, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

The Committee to whom was referred the consideration of "An Act to remunerate Francis Hall, Esquire, Civil Engineer, for services at the Burlington Bay Canal," most respectfully report: The report.

That Francis Hall, Esquire, a Civil Engineer, claims from the Legislature the sum of fifty-five pounds, as due by the Burlington Bay Commissioners in the year 1826, and the bill assumes it as a fact; interest on the same is also claimed by him, and the bill allows it.

The Commissioners have all along resisted the charge for the services performed, as the sum paid was deemed ample; it is therefore a case which, in the opinion of your Committee, ought to be submitted to the consideration of a Jury. Nevertheless your Committee, at this late period of the Session, have endeavoured to possess themselves of such information as could be obtained, and refer to the then Commissioners Report contained in the Journals of the year 1826, and 1827, appendix D. where these Commissioners have enlarged upon this subject, and adduced reasons for withholding their consent to the charge, or of paying any further sum for his services as Engineer. If these Reports are read, and the information which in discussion may be obtained from a Member of your Honorable House, then a Commissioner, and reference be had to the Journals of a later period, either of this House or of the House of Assembly, will show that this subject has already been under discussion.

Should your Honorable House give countenance to or sustain the claim for the principal, your Committee would not recommend that interest should be allowed, for many considerations, arising out of this dormant claim; and the consequences of such are,

£55, principal admission,
26, interest.

—
£81.

All which are humbly submitted.

(Signed)

WILLIAM DICKSON,
CHAIRMAN.

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.

A Deputation from the Commons House of Assembly brought up a bill entitled, "An Act granting a sum of money to the Kingston Mechanic's Institute"; also a bill 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"; also a bill entitled "An Act granting a sum of money for the further completion of the Kingston Penitentiary, and for other purposes therein mentioned"; also a bill entitled "An Act granting a loan to the Cobourg Harbour Company"; also a bill entitled "An Act for the relief of John Pearse, and others, and to complete the Lock and Canal between Pigeon and Sturgeon Lakes, in the Newcastle District, and for other purposes therein mentioned"; also a bill entitled "An Act granting to his Majesty a certain sum of money to enable his Majesty to pay to Joseph Turton the balance of his account for work and labour performed by him as Contractor for part of the Buildings occupied by the Legislature"; also a bill entitled "An Act to provide for the payment of certain sums therein mentioned"; and also a bill entitled "An Act granting a sum of money for the improvement of the Harbour at Kettle Creek, and for other purposes," to which they requested the concurrence of this House.

The same Deputation returned the bill entitled, "An Act to incorporate a Joint Stock Company for the Manufacture of Salt, in the Township of Saltfleet, in the Gore District"; and also the bill entitled "An Act to incorporate a Joint Stock Company for the construction of a Harbour at the Mouth of Stoney Creek, on Lake Ontario," 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.

The bill entitled "An Act granting a sum of money to the Kingston Mechanic's Institute"; also the bill 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"; also the bill entitled "An Act granting a sum of money for the further completion of the Kingston Penitentiary, and for other purposes therein mentioned"; also the bill entitled "An Act granting a loan to

Kingston Mechanic Institute bill; Gull Island Light-house bill; Kingston Penitentiary grant bill; Cobourg Harbour loan bill; Pearse, and others relief bill; Turton's grant bill; Second Civil List bill; and Kettle Creek Harbour grant bill, brought up from the Assembly.

Amendments to Saltfleet Salt Company's incorporation bill; And to Stoney Creek Harbour's construction bill, concurred in by the Assembly.

Kingston Mechanics' Institute bill; Gull Island Light-house bill; Kingston Penitentiary grant bill; Cobourg Harbour loan bill; and

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Pearse, and others relief bill, read first time.

the Cobourg Harbour Company"; and also the bill entitled "An Act for the relief of John Pearse, and others, and to complete the Lock and Canal between Pigeon and Sturgeon Lakes, in the Newcastle District, and for other purposes therein mentioned," were severally read; and it was,

44th Rule dispensed with.

Ordered, that the forty-fourth rule of this House be dispensed with as it regards these bills, and that the same be read a second time this day.

Turton's grant bill; Second Civil List bill; And Kettle Creek Harbour grant bill, read first time.

The bill entitled, "An Act granting to His Majesty a certain sum of money to enable His Majesty to pay to Joseph Turton the balance of his account for work and labour performed by him, as Contractor for part of the buildings occupied by the Legislature";—also the bill entitled, "An Act to provide for the payment of certain sums therein mentioned;—and also the bill entitled, "An Act granting a sum of money for the improvement of the Harbour at Kettle Creek, and for other purposes," were severally read; and it was,

44th Rule dispensed with.

Ordered, that the forty-fourth rule of the House be dispensed with as it respects these bills, and that the same be read a second time this day.

Second Civil List bill, read second time.

Pursuant to order, the bill entitled, "An Act to provide for the payment of certain sums 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. 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 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 bill was then read a third time accordingly, 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 amendment.

To the bill just passed, entitled, "An Act to provide for the payment of certain sums therein mentioned."

DISSENTIENT.

Speaker's dissent from same.

For the reasons given in a protest entered by me on the Journals of this House, on the twelfth day of February, 1833.

(Signed)

JOHN B. ROBINSON,

SPEAKER.

Kingston Penitentiary grant bill, read second time.

Pursuant to order, the bill entitled, "An Act granting a sum of money for the further completion of the Kingston Penitentiary, 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. 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 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 said bill was then read a third time accordingly, 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 amendment.

Light-house provision bill brought up from the Assembly.

A Deputation from the Commons House of Assembly brought up a bill entitled, "An Act to provide for the support of the several Light-houses in this Province, at present unprovided for," to which they requested the concurrence of this House, and then withdrew.

Thursday, 16th April, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

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 this bill, and that the same be read a second time this day.	44th Rule dispensed with.
The bill was then 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.	
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 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 bill was then read a third time accordingly and passed ;	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 amendment.	And the Assembly acquainted thereof.
Pursuant to order, the bill 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 second time ; and it was,	Gull Island Light-house 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. 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 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 this day.	
The bill was then read a third time accordingly, and passed.	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 amendment.	And the Assembly acquainted thereof.
Pursuant to order, the House was put into a Committee of the whole upon the bill entitled "An Act to remunerate Francis Hall, Esquire, Civil Engineer, for services at the Burlington Bay Canal," and the report of the Select Committee thereon.	Hall's remuneration 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 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 bill entitled "An Act granting a sum of money to the Kingston Mechanics Institute" was read a second time ; and it was,	Kingston Mechanics Institute 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. Hamilton 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 sum of money to the Kingston Mechanics Institute."	Kingston Mechanics Institute bill, recommitted.
The Honorable Mr. Hamilton 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 bill, and recommended the same without 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 this day.
- Read third time and passed. The bill was then read a third time accordingly, 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 amendment.
- Speaker reports the receipt of Statutes contract printing 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 ensure the more regular and economical printing of the Statutes of this Province, and of those Statutes of the Imperial Parliament which may particularly concern this Province, to provide that the said Statutes be printed by contract, and also for their distribution," to which they requested the concurrence of this House.
- Read first time. The said bill was then read ; and it was,
- 44th Rule dispensed with. Ordered, that the forty-fourth rule of the House be dispensed with as it regards this bill, and that the same be read a second time this day.
- Cobourg Harbour Loan bill, read second time. Pursuant to order, the bill entitled, "An Act granting a loan to the Cobourg Harbour Company," 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 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 this day.
- Read third time and passed. The bill was then read a third time accordingly 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 amendment.
- The Laws of this Province directed to be interchanged for those of Nova Scotia, New Brunswick, Prince Edward's Island, and Newfoundland. Ordered, that the Clerk be directed to make arrangements for interchanging the Laws of this Province with the several Legislative Councils of Lower Canada, Nova Scotia, New Brunswick, Prince Edward's Island, and Newfoundland, for the Laws of those Provinces, respectively, for the use of this House ; such arrangement to extend to the existing Laws of the several Provinces, as well as to any future Laws to be passed.
- House adjourns. On motion made and seconded, the House adjourned until a quarter of an hour before three of the clock this day.

House meets.

The House met pursuant to adjournment.

PRESENT.

Members present.	<i>The Honorable</i> JOHN B. ROBINSON, SPEAKER,	<i>The Honorable Messrs.</i> ALLAN,
	<i>The Honorable Messrs.</i> CLARK,	" " P. ROBINSON,
	" " DICKSON,	" " McDONELL,
	" " CROOKSHANK,	" " ELMSLEY,
	<i>The Hon. & Ven. The</i> ARCHDEACON OF YORK,	" " BALDWIN,
	<i>The Honorable Messrs.</i> WELLS,	" " HAMILTON,
	" " CAMERON,	" " CROOKS,
	" " MARKLAND,	

His Excellency comes to the House and commands the attendance of the Assembly.

At half an hour past three of the clock, P. M. His Excellency being come to the Legislative Council Chamber, and seated on the Throne, the Gentleman Usher of the Black Rod was ordered to direct the immediate attendance of the Assembly, who being come—

His Excellency was pleased, in His Majesty's name, to assent to the following bills:

Thursday, 16th April, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

- 1.—An Act to establish a Standard Weight for the different kinds of Grain and Pulse in this Province. Bills received the Royal Assent.
- 2.—An Act to establish the boundary lines of the Township of Wolford, in the District of Johnstown.
- 3.—An Act to alter the times of holding the Court of Quarter Sessions in the District of Niagara.
- 4.—An Act to continue the Road Acts of 1833 & 1834.
- 5.—An Act to prevent the unnecessary multiplication of Lawsuits, and increase of Costs in Actions on notes, bonds, bills of exchange, and other instruments.
- 6.—An Act to incorporate a Joint Stock Company for the construction of a Harbour at the mouth of Stoney Creek, on Lake Ontario.
- 7.—An Act to incorporate a Joint Stock Company for the manufacture of Salt, in the Township of Saltfleet, in the District of Gore.
- 8.—An Act to incorporate certain persons therein mentioned under the style and title of the President, Directors and Company of the Grimsby Breakwater, Pier and Harbour Company.
- 9.—An Act to reduce to one Act of Parliament the several Laws relative to the appointment and duties of Township Officers in this Province, except an Act passed in the fourth year of the reign of William the Fourth, Chapter twelve, entitled, "An Act to regulate Line Fences and Water Courses," and to repeal so much of an Act passed in the thirty-third year of the reign of His Majesty King George the Third, entitled, "An Act to provide for the nomination and appointment of Parish and Town Officers within this Province," as relates to the office of Fence Viewers being discharged by Overseers of highways and roads."
- 10.—An Act to prevent the sale of Spirituous Liquors to Indians.
- 11.—An Act to continue and amend an Act passed in the second year of His Majesty's reign, entitled, "An Act for incorporating a Joint Stock Company under the style and title of the President, Directors and Company of the Port Dover Harbour."
- 12.—An Act to authorise the levying an increased Tax on the Inhabitants of the District of Prince Edward, for the term of three years.
- 13.—An Act to authorise a new Survey in the Township of King.
- 14.—An Act to incorporate sundry persons under the style and title of the Hamilton and Port Dover Rail Road Company.
- 15.—An Act to mitigate the Law in respect to Imprisonment for Debt.
- 16.—An Act for incorporating certain persons therein named, and their associates, under the style and title of the Cayuga Glass Manufacturing Company.
- 17.—An Act to continue and amend the Law for attaching the property of absconding Debtors.
- 18.—An Act to make good certain monies advanced for the contingent expenses of the last Session of the Legislature of this Province, and also to make good certain monies advanced in compliance with an address of the House of Assembly during the present Session.
- 19.—An Act to appoint Commissioners to settle disputes respecting certain roads and lines in the Township of Norwich, in the District of London, and to establish the said lines and roads.
- 20.—An Act authorising a loan to the President and Directors of the Desjardin's Canal Company.
- 21.—An Act to explain and amend an Act incorporating the Welland Canal Company, and for appointing Arbitrators for certain purposes therein mentioned.
- 22.—An Act to promote the Public Health and to guard against Infectious Diseases in this Province.
- 23.—An Act to provide additional aid in support of Common Schools in the several Districts in this Province.
- 24.—An Act to revive and continue an Act passed in the tenth year of His late Majesty's reign, entitled, "An Act the better to protect the Mississauga Tribes, living on the Indian Reserve at the River Credit, in their exclusive right of fishing and hunting therein."

Thursday, 16th April, 1835.

FIRST SESSION TWELFTH PROVINCIAL PARLIAMENT, 5th WILLIAM IV.

25.—An Act for the remuneration of Dean S. Howard, for extra work performed by him in the erection of the Trent Bridge.

26.—An Act to amend and continue for a limited time, an Act passed in the eleventh year of His late Majesty's reign, entitled, "An Act to encourage the establishment of Agricultural Societies in the several Districts of this Province."

27.—An Act to amend and continue the Act granting Militia Pensions.

28.—An Act to increase the salary of the Keeper of the False Ducks Light-house.

29.—An Act granting to His Majesty a sum of money for the purchase of a Steam Dredging Machine.

30.—An Act for the promotion of Science, by enabling the Mechanics Institute of the City of Toronto, to procure certain apparatus.

31.—An Act for the erection of a Light-house on Heartley's Point, on Lake Erie.

32.—An Act to authorise a loan to be raised in the manner therein mentioned.

33.—An Act to make good certain monies advanced by His Excellency to defray the expenses incurred by the Cholera in 1834.

34.—An Act granting a sum of money to the Kingston Mechanics Institute.

35.—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.

36.—An Act granting a sum of money for the further completion of the Kingston Penitentiary, and for other purposes therein mentioned.

37.—An Act granting a loan to the Cobourg Harbour Company.

38.—An Act to provide for the payment of certain sums therein mentioned.

39.—An Act to provide for the support of the several Light-houses in this Province at present unprovided for.

40.—An Act to enable suitors in the District Courts to procure the attendance of Witnesses from any District in this Province, and to authorise certain persons therein named to take affidavits in the said District Courts.

41.—An Act to incorporate certain persons therein mentioned under the name and style of the Erie and Ontario Rail Road Company.

And His Excellency the Lieutenant Governor was pleased to reserve the following Bills for the signification of His Majesty's pleasure.

Bills reserved.

1.—An Act to confirm British Subjects in their titles to Real Estate derived through Aliens.

2.—An Act for altering and amending the Charter of the President, Directors and Company of the Commercial Bank of the Midland District, and for increasing the number of shares to be held in the Capital Stock of the Company.

3.—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.

4.—An Act to incorporate sundry persons under the style and title of the President, Directors and Company of the Gore Bank.

5.—An Act for the relief of the heirs of the late Peter Desjardins.

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;*

His Excellency's
Speech at the pro-
rogation.

The period of the Session having been sufficiently extended for the interests of the Colony, I am enabled to prorogue the Provincial Parliament.

The Bills which have been presented for the Royal Assent, to establish a Bank in the Gore District; to amend and alter the Charter of the Commercial Bank of the Midland District, and to incorporate an Insurance and Trust Company, are necessarily reserved for His Majesty's consideration.

Thursday, 16th April, 1835.

SIR JOHN COLBORNE, K. C. B. *Lieutenant Governor.*

I shall not fail to draw the attention of His Majesty's Government to the important objects which you have in view in passing these Bills, in order that His Majesty's decision on them may be early notified.

I have observed with satisfaction that you have concurred in a measure to continue the annual grant for the support of Common Schools.

Gentlemen of the House of Assembly ;

I thank you in His Majesty's name for the supplies which you have granted to the public service, and for the provision made to defray the expenses incurred during the prevalence of the disease with which the Province was afflicted last year.

Honorable Gentlemen, and Gentlemen ;

With reference to the projects which have been brought before you, to provide means for the construction of Roads through every Township, by appropriating for that purpose the Revenue that may arise from a proposed commutation of the Statute Labour, I request you will collect information in your respective Counties, how far any of these contemplated improvements can be immediately carried into effect with benefit to the people at large.

I regret that no appointment of Commissioners has taken place with powers to establish Township Schools.

The endowment of King's College and the principles on which the University is founded having been recently under discussion, I have to assure you, that any representations on the existing Charter, from the Legislative Council and House of Assembly, will receive the prompt and attentive consideration of His Majesty's Government.

I cannot, however, in the present state of the Province, but strongly recommend to His Majesty's Government to sanction, without further delay, the opening of this Institution, for if it be not carried into immediate operation numerous classes of Students will be deprived of the means of qualifying themselves for an able prosecution of the profession which they intend to embrace.

I am persuaded, that the Council of King's College will consent to surrender the existing Charter, and recommend, that such a revision of it may take place as will accord, in essential points, with the opinions of the Legislative Council and the House of Assembly.

While every exertion is making to enlarge the Territory of the Parent State, by encouraging the flow of emigration to these Provinces, it will be for your advantage to be prepared for the reception of our Countrymen, who, I trust are destined, by their perseverance and industry, to become the sources of wealth and happiness to the Parent State and the Colony.

His Honor 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 Monday the Twenty-fifth day of May, next, to be then here holden, and this Provincial Parliament is prorogued accordingly.

Parliament
prorogued.

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