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JOURNALS

OF THE

LEGISLATIVE ASSEMBLY.

Vol. 1.



JOURNALS

OF THE

LEGISLATIVE ASSEMBLY

OF THE

PROVINCE OF CANADA,

FROM THE 14th DAY OF JUNE TO THE 18th DAY OF SEPTEMBER,

IN THE YEAR OF OUR LORD

1841,

AND IN THE 4th & 5th YEARS OF THE REIGN OF OUR SOVEREIGN LADY,

QUEEN VICTORIA.

BEING THE FIRST SESSION OF THE FIRST PROVINCIAL PARLIAMENT OF CANADA.

Sess. 1841.

PRINTED BY THE ORDER OF THE LEGISLATIVE ASSEMBLY.

KINGSTON:—Printed by DESBARATS & CARY. 1842.



PROCLAMATION.

PROVINCE OF
LOWER CANADA. }

SYDENHAM.

VICTORIA, by the Grace of GOD, of the United Kingdom of Great Britain and Ireland, *QUEEN*, Defender of the Faith.

To Our loving subjects whom these present may concern ;

GREETING :

WHEREAS for the good Government of our provinces of *Upper Canada* and *Lower Canada*, and for the security of the rights and liberties and the preservation of the interest of all classes of Our subjects within the same, it is, by an Act of Parliament of the United Kingdom of *Great Britain* and *Ireland* made and passed in the fourth year of Our reign, intituled " an Act to re-unite the Provinces of *Upper Canada* and *Lower Canada*, " and for the Government of *Canada*"—amongst other things enacted, that it shall be lawful for Us, with the advice of Our Privy Council, to declare or to authorise the Governor General of Our said two Provinces, of *Upper* and *Lower Canada*, to declare that the said two Provinces, upon, from, and after a certain day, in such Proclamation to be appointed, such day being within fifteen calendar months next after the passing of the said Act, shall form and be one Province under the name of the Province of *Canada*, and thenceforth the said Province shall constitute, and be one Province under the name aforesaid, upon, from and after the day so appointed as aforesaid —And whereas in pursuance and exercise of the powers so vested in Us by the said recited Act, We did, on the tenth day of *August*, one thousand eight hundred and forty, with the advice of Our Privy Council authorise the Governor General of the said two Provinces of *Upper* and *Lower Canada*, to declare by Proclamation, that the said two provinces upon, from, and after a certain day, in such Proclamation to be appointed, such day being within fifteen calendar months next after the passing of the said Act, should form and be one Province under the name of the Province of *Canada*.

Proclamation declaring the Provinces united.

Now know ye, therefore, that Our right trusty and well beloved Councillor, CHARLES, BARON SYDENHAM, Our Governor General of Our said two Provinces of *Upper* and *Lower Canada*, hath, in pursuance of the provisions of the said recited Act, and under and by virtue of the power and authority by Us granted to him as aforesaid, determined to declare, and it is, by this Our Royal Proclamation declared that the said Provinces upon, from, and after the TENTH day of this present month of FEBRUARY, shall form and be one Province, under the name of the Province of *Canada*, of which all Our loving subjects, and all others concerned, are to take notice and govern themselves accordingly.

Proclamation.

IN TESTIMONY WHEREOF, We have caused these Our letters to be made Patent and the Great Seal of Our said Province of *Lower Canada* to be hereunto affixed. WITNESS Our right trusty, and well beloved, the Right Honorable CHARLES, BARON SYDENHAM, of *Sydenham*, in the County of *Kent*, and *Toronto* in *Canada*, Governor General of British *North America*, and Captain General and Governor-in-Chief in and over Our Provinces of *Lower Canada* and *Upper Canada*, *Nova Scotia*, *New Brunswick*, and the *Island of Prince Edward*, and Vice Admiral of the same; at Our Government House, in Our city of *Montreal*, in Our said Province of *Lower Canada* the FIFTH day of FEBRUARY, in the year of Our Lord One Thousand Eight Hundred and Forty-one, and in the Fourth year of Our Reign.

By Command,

D. DALY,
Secretary of the Province.



P R O C L A M A T I O N .

PROVINCE OF } SYDENHAM.
CANADA. }

VICTORIA, by the Grace of GOD, of the United Kingdom of Great Britain and Ireland, QUEEN, Defender of the Faith.

To Our well beloved and faithful, the Legislative Councillors of the Province of *Canada*, and to Our Knights, Citizens, and Burgesses of Our said Province, and to all Our loving subjects whom these presents may concern;

GREETING :

WHEREAS We are desirous and resolved, as soon as may be, to meet Our people of Our said Province, and to have their advice in Provincial Parliament, We do hereby make known Our Royal will and pleasure to call a Provincial Parliament, and do further declare that, by the advice of Our Executive Council, We have this day given orders for issuing Our Writs in due form for calling a Provincial Parliament in Our said Province, which writs are to bear teste on FRIDAY the NINETEENTH day of FEBRUARY, instant, and to be returnable on THURSDAY, the EIGHTH day of APRIL next.

Proclamation declaring the intention of calling a Provincial Parliament.

IN TESTIMONY WHEREOF We have caused these Our letters to be made Patent, and the Great Seal of Our said Province of *Canada* to be hereunto affixed. WITNESS, Our right trusty

and well beloved the Right Honorable CHARLES, BARON SYDENHAM, of *Sydenham*, in the County of *Kent*, and of *Toronto* in *Canada*, one of Our most Honorable Privy Council, Governor General of British *North America*, and Captain General and Governor-in-Chief in and over Our Provinces of *Canada*, *Nova Scotia*, *New Brunswick*, and the *Island of Prince Edward*, and Vice Admiral of the same; at Our Government House, in Our City of *Montreal* in Our said Province of *Canada*, the FIFTEENTH day of FEBRUARY, in the year of Our Lord One Thousand Eight Hundred and Forty-one, and in the Fourth year of Our Reign.

S.

THOMAS AMIOT,

Clerk of the Crown in Chancery.



PROCLAMATION.

PROVINCE OF }
CANADA.

SYDENHAM.

VICTORIA, by the Grace of GOD, of the United Kingdom of Great Britain and Ireland, QUEEN, Defender of the Faith.

To Our Knights, Citizens, and Burgesses, of Our said Province, and to all our loving subjects whom it may concern;

GREETING :

KNOW YE that We, being desirous and resolved, as soon as may be, to meet Our people of Our said Province, and to have their advice in Provincial Parliament, do hereby, by and with the advice of Our Executive Council, summon and call together the Legislative Assembly, in and for Our said Province, to meet at Our Town of *Kingston* on THURSDAY the EIGHTH day of APRIL next, then and there to have conference and treaty with the great men and Legislative Council of Our said Province.

Proclamation convening Parliament on the 8th April.

IN TESTIMONY WHEREOF We have caused these Our letters to be made Patent, and the Great Seal of Our said Province of *Canada* to be hereunto affixed. WITNESS Our right trusty and well beloved, the Right Honorable CHARLES, BARON SYDENHAM, of *Sydenham* in the County of *Kent*, and *Toronto* in *Canada*, one of Our most Honorable Privy Council, Governor General of British *North America*, and Captain General and Governor in-chief in and over Our Provinces of *Canada*, *Nova Scotia*, *New Brunswick*, and the *Island of Prince Edward*, and Vice Admiral of the same, at

Our Government House in Our City of *Montreal* in Our said Province of *Canada*, the FIFTEENTH day of FEBRUARY, in the year of Our Lord One Thousand Eight Hundred and Forty-one, and in the Fourth year of Our Reign.

S.

THOMAS AMIOT,

Clerk of the Crown in Chancery.

P R O C L A M A T I O N .

PROVINCE OF
CANADA. }

SYDENHAM.

VICTORIA, by the Grace of GOD, of the United Kingdom of Great Britain and Ireland, QUEEN, Defender of the Faith.

To Our well beloved and faithful, the Legislative Councillors of the Province of *Canada*, and the Knights, Citizens, and Burgesses, elected to serve in the Legislative Assembly of our said Province, summoned and called to a meeting of the Provincial Parliament of Our said Province, at Our Town of KINGSTON, on the EIGHTH day of the present month of APRIL, to have been commenced and held, and to every of you—

GREETING :

WHEREAS for divers urgent and arduous affairs, Us, the state and defence of Our said Province, concerning, We did summon and command You, on the day and at the place aforesaid, to be present, to treat, consent, and conclude upon those things which in Our said Provincial Parliament should then and there be proposed and deliberated upon; We, for divers causes and considerations, Us to this especially moving, have thought fit to prorogue Our said Provincial Parliament until the TWENTY-SIXTH DAY OF MAY NEXT, so that You nor any of You on the said eighth day of the present month of *April*, at Our said town to appear, shall in no wise be held or constrained; for We do will that You and each of You be as to Us in this matter entirely exonerated; commanding and by these presents firmly enjoining You and every of You, and all others in this behalf interested—that on the said TWENTY-SIXTH DAY OF MAY NEXT, at our TOWNSHIP OF KINGSTON, personally, You be and appear for the DISPATCH OF BUSINESS, to treat, do, act, and conclude upon those things which in Our said Provincial Parliament, by the Common Council of Our said Province may, by the favor of GOD, be ordained.

Proclamation proroguing Parliament to 26th May.

IN TESTIMONY WHEREOF We have caused these Our letters to be made Patent, and the Great Seal of Our said Province of *Canada* to be hereunto affixed. WITNESS, Our Right trusty and well-beloved the Right Honorable CHARLES BARON SYDENHAM, of *Sydenham* in the County of *Kent*, and *Toronto* in *Canada*, one of Our Most Honorable Privy Council, Governor General of British *North America*, and Captain General and Governor-in-Chief in and over Our Provinces of *Canada*, *Nova Scotia*, *New Brunswick* and the *Island of Prince Edward*, and Vice Admiral of the same; at Our Government House at Our City of *Montreal*, in Our said Province of *Canada*, the SIXTH day of APRIL, in the year of Our Lord One Thousand Eight Hundred and Forty-one, and in the Fourth year of Our Reign.

S

THOMAS AMIOT,
Clerk of the Crown in Chancery.



PROCLAMATION.

PROVINCE OF }
CANADA. } SYDENHAM.

VICTORIA by the Grace of GOD, of the United Kingdom of Great Britain and Ireland, QUEEN, Defender of the Faith.

To Our well beloved and faithful the Legislative Councillors of the Province of *Canada*, and the Knights, Citizens and Burgesses, elected to serve in the Legislative Assembly of Our said Province, summoned and called to a meeting of the Provincial Parliament of our said Province, at Our township of *Kingston* on the TWENTY-SIXTH day of MAY next, to have been commenced and held, and to every of you:—

GREETING:

WHEREAS for divers-urgent and ardent affairs, Us, the state and defence of our said Province concerning. We did summon and command You on the day and at the township aforesaid, to be present, to treat, consent and conclude upon those things, which, in our said Provincial Parliament, should then and there be proposed and deliberated upon; We, for diver causes and considerations Us to this especially moving, have thought fit to prorogue our said Provincial Parliament, so that You nor any of You on the said twenty-sixth day of May at our said TOWNSHIP of KINGSTON to appear, are to be held or constrained; for We do will there-

Proc. convening Parl. to meet on 14 June for dispatch of business.

Proclamation convening Parliament to meet on 14th June.

upon that You and each of You, be as to Us in this matter entirely exonerated; commanding and by the tenor of these presents firmly enjoining You, and every of You, and all others in this behalf interested, that on the FOURTEENTH DAY OF JUNE NEXT, at our TOWNSHIP of KINGSTON, aforesaid personally You be and appear for the DISPATCH OF BUSINESS, to treat, do, act, and conclude upon those things which in Our said Provincial Parliament, by the Common Council of Our said Province may, by the favour of GOD, be ordained.

IN TESTIMONY WHEREOF, We have caused these Our Letters to be made Patent, and the Great Seal of Our said Province of *Canada* to be hereunto affixed. WITNESS, Our Right trusty, and well beloved the Right Honourable CHARLES BARON SYDENHAM, of Sydenham in the County of *Kent*, and *Toronto*, in *Canada*, one of Our most Honourable Privy Council, Governor General of British North America, and Captain General and Governor-in-Chief in and over our Provinces of *Canada*, *Nova Scotia*, *New Brunswick*, and the *Island of Prince Edward*, and Vice Admiral of the same, at Our Government House, in our City of *Montreal*, in Our said Province of *Canada*, the THIRTIETH day of APRIL, in the year of our Lord One Thousand Eight Hundred and Forty-one, and in the Fourth year of our Reign.

S.

THOMAS AMIOT,

Clerk of the Crown in Chancery.

OFFICE OF THE CLERK OF THE CROWN IN CHANCERY,

Kingston, 14th. June, 1841.

RETURN of the names of Members chosen to serve in the Legislative Assembly of *Canada*, pursuant to writs issued by His Excellency, the Right Honorable CHARLES, BARON SYDENHAM, of *Sydenham*, in the County of *Kent*, and of *Toronto*, in *Canada*, one of Her Majesty's most Honourable Privy Council, Governor General of British *North America* and Captain General, and Governor in-chief in and over the Provinces of *Canada*, *Nova Scotia*, *New Brunswick*, and the *Island of Prince Edward*, and Vice Admiral of the same, bearing date the NINETEENTH day of FEBRUARY last.

	CONSTITUENCIES.	RETURNING OFFICERS.	MEMBERS CHOSEN.
1	<i>Champlain</i> (A)	<i>Ls. Guillet</i>	RE'NE' JOSEPH KIMBER.
2	<i>Ottawa</i>	<i>J. Finlayson Taylor</i>	CHARLES DEWEY DAY. ✓
3	<i>Vaudreuil</i>	<i>Michel Lefebvre</i>	JOHN SIMPSON.
4	<i>Beauharnois</i>	<i>William Bowron</i>	JOHN WM. DUNSBOMB. ✓
5	<i>Vercheres</i>	<i>Alexis Pinet</i>	HENRY DESRIVIERES.
6	<i>Richelieu</i>	<i>Robert Harrower</i>	DENIS BENJAMIN VIGER.
7	<i>St. Hyacinthe</i>	<i>Simon F. Lesperance</i>	THOMAS BOUTILLIER. ✓
8	<i>Megantic</i>	<i>Daniel Burray</i>	HON. DOMENICK DALY. ✓
9	<i>Three Rivers</i> (Town)	<i>Thos. Burn</i>	CHARLES RICHARD OGDEN. ✓
10	<i>Rouville</i>	<i>Hiram Hitchcock</i>	MELCHOIR ALPHONSE DE SALABERRY. ✓
11	<i>L'Islet</i>	<i>Jas. Oliver</i>	ETIENNE S. TACHE'.
12	<i>Lotbiniere</i>	<i>J. B. Moreau</i>	J. BTE. ISAAE NOEL.
13	<i>Dorchester</i>	<i>J. Bte. Bonneville</i>	ANTOINE CHS. TASCHEREAU.
14	<i>Saguenay</i>	<i>J. Bte. Duberger</i>	ETIENNE PARENT. ✓
15	<i>St. Maurice</i>	<i>E. Sicard de Carufel</i>	JOSEPH ED. TURCOTTE.
16	<i>Rimouski</i>	<i>Pierre Gauvreau</i>	MICHEL BORNE.
17	<i>Kamouraska</i>	<i>J. Bte. Martin</i>	AMABLE BERTHELOT.
18	<i>Missisquoi</i>	<i>Samuel Maynard</i>	ROBERT JONES.
19	<i>Sherbrooke</i>	<i>Chs. Whitcher</i>	JOHN MOORE.
20	<i>Drummond</i>	<i>Fredk. K. Stoyart</i>	ROBERT NUGENT WATTS.
21	<i>Yamaska</i>	<i>Ant. Bazin</i>	JOSEPH GUILLAUME BARTHE.
22	<i>Gaspé</i>	<i>Hy. Bissett Johnston</i>	ROBERT CHRISTIE.
23	<i>Bonaventure</i>	<i>L. G. Le Bell</i>	JOHN ROBINSON HAMILTON.
24	<i>Berthier</i>	<i>O. C. Diolet</i>	DAVID MORRISON ARMSTRONG.
25	<i>Quebec</i>	<i>Jos. F. A. Perrault</i>	JOHN NEILSON.
26	<i>Do. City</i>	<i>Arch. Campbell</i>	DAVID BURNET & HENRY BLACK.
27	<i>Montreal</i>	<i>Edu. M. Leprohon</i>	ALEXANDRE MAURICE DELISLE.
28	<i>Do. City</i>	<i>John Dyde</i>	HON. GEO. MOFFATT & B. HOLMES.
29	<i>Montmorency</i>	<i>W. H. Lemoine</i>	FREDK. AUGUSTE QUESNEL. ✓
30	<i>Portneuf</i> (B)	<i>Paul Bigue</i>	THOMAS CUSHING AYLWIN.
31	<i>Nicolet</i>	<i>Bazil Lupien</i>	AUGUSTIN NORBERT MORIN. ✓
32	<i>Bellechasse</i>	<i>Leger Launier</i>	AUGUSTIN GUILLAUME RUEL.
33	<i>Leinster</i>	<i>Phil. Mount</i>	JEAN MOYSE RAYMOND.
34	<i>Terrebonne</i>	<i>John McKenzie</i>	MICHAEL McCULLOCH.
35	<i>Two Mountains</i>	<i>Daniel De Hartel</i>	COLIN ROBERTSON.
36	<i>Huntingdon</i>	<i>J. B. Farin</i>	AUSTIN CUVILLIER. ✓
37	<i>Chambly</i>	<i>Auguste Delisle</i>	JOHN YULE, JR.
38	<i>Stanstead</i> (C)	<i>John Chamberlain</i>	MARCUS CHILD.
39	<i>Shefford</i> (D)	<i>James Botham</i>	STEPHEN SEWEL FOSTER.
40	<i>Sherbrooke</i> (Town)	<i>John Felton</i>	EDWARD HALE.
41	<i>Glenarry</i>	<i>Alex. McMartin</i>	JOHN SANDFIELD McDONALD.
42	<i>Stormont</i>	<i>James Pringle</i>	ALEXANDER McLEAN.
43	<i>Prescott</i>	<i>Chs. P. Treadwell</i>	DONALD McDONALD.
44	<i>Russell</i>	<i>Robert Lang</i>	WILLIAM HENRY DRAPER. ✓

(A) The indenture, returned with the writ in the French Language, but subsequently I received a second indenture in English.

(B) This Indenture is in French only, and the Election was held on the sixteenth March, instead of the twenty second, the day fixed in and by the Commission of the Returning Officer.

(C) Return received after the Return day.

(D) Return received after the Return day.

Names of Members.

RETURN of the names of Members Chosen, &c.—*Continued.*

	CONSTITUENCIES.	RETURNING OFFICERS.	MEMBERS CHOSEN.
45	<i>Cornwall</i> (Town)	<i>Guy C. Wood</i>	SOLOMON YOUMANS CHESLEY.
46	<i>Dundas</i>	<i>Robert Cline</i>	JOHN COOK.
47	<i>Grenville</i>	<i>Adiel Sherwood</i>	SAMUEL CRANE.
48	<i>Leeds</i>	<i>G. Crawford</i>	JAMES MORRIS.
49	<i>Brockville</i> (Town)	<i>Jas. Jessup</i>	GEORGE SHERWOOD.
50	<i>Lanark</i>	<i>A. C. McMillan</i>	MALCOLM CAMERON.
51	<i>Carleton</i>	<i>G. R. Burke</i>	JAMES JOHNSTON.
52	<i>Bytown</i> (Town)	<i>G. W. Baker</i>	STEWART DERBISHIRE.
53	<i>Frontenac</i>	<i>Thos. Kirkpatrick</i>	HENRY SMITH, the younger.
54	<i>Kingston</i> (Town)	<i>Jas. Sampson</i>	ANTHONY MANAHAN.
55	<i>Prince Edward</i>	<i>Owen McMahon</i>	JOHN P. ROBLIN.
56	<i>Lennox & Addington</i>	<i>Allan McDonnell</i>	JOHN SOL. CARTWRIGHT
57	<i>Hastings</i>	<i>G. W. Dunbar</i> } <i>Moodie</i> }	HONBLE. ROBERT BALDWIN.
58	<i>Northumberland,</i> } <i>South Riding</i> }	<i>J. Steele</i>	GEORGE MORSS BOSWELL.
59	<i>Northumberland,</i> } <i>North Riding (E)</i> }	<i>A. S. Fraser</i>	JOHN GILCHRIST.
60	<i>Durham</i>	<i>H. S. Reid</i>	JOHN TUCKER WILLIAMS. ✓ { HONBLE. JOHN HY. DUNN, & ISAAC. } BUCHANAN.
61	<i>Toronto</i> (City)	<i>R. Stanton</i>	JAMES HERVEY PRICE.
62	<i>York 1st. Riding</i>	<i>B. Thorne</i>	GEORGE DUGGAN, the younger.
63	<i>do. 2d. do.</i>	<i>J. Hector</i>	JAMES EDWARD SMALL.
64	<i>do. 3d. do.</i>	<i>L. Heyden</i>	ROBERT BALDWIN.
65	<i>do. 4th. do.</i>	<i>C. Scadding</i>	ELMES STEELE.
66	<i>Simcoe</i>	<i>S. Richardson</i>	CALEB HOPKINS.
67	<i>Halton, East Riding</i>	<i>R. G. Beasley</i>	JAMES DURAND.
68	<i>do. West do.</i>	<i>A. J. Ferguson</i>	HERMANUS SMITH
69	<i>Wentworth</i>	<i>Alex. McDonell</i>	ALLAN NAPIER MACNAB.
70	<i>Hamilton</i> (Town)	<i>A. Bowen</i>	
71	<i>Lincoln, North</i> } <i>Riding</i> }	<i>B. Y. McKyes</i>	WM. H. MERRIT.
72	<i>Lincoln, South do.</i>	<i>G. McMiken</i>	DAVID THORBURN.
73	<i>Haldimand</i>	<i>H. W. Nelles</i>	DAVID THOMPSON.
74	<i>Niagara</i> (Town)	<i>J. S. Alma</i>	EDWARD CLARKE CAMPBELL.
75	<i>Norfolk</i>	<i>J. B. Crause</i>	ISRAEL WOOD POWELL.
76	<i>Oxford</i>	<i>Jas. Ingersoll</i>	FRANCIS HINCKS. ✓
77	<i>Middlesex</i>	<i>John Wilson</i>	THOMAS PARKE.
78	<i>London</i> (Town)	<i>John Wilson</i>	HAMILTON HARTLEY KILLALY. ✓
79	<i>Essex</i> (F)	<i>Robt. Mercer</i>	JOHN PRINCE.
80	<i>Kent</i> (G)	<i>G. W. Foote</i>	Special Return.
81	<i>Huron</i>	<i>Hy. Hyndman</i>	JAMES MCGILL STRACHAN.

(E) This Indenture is not in the usual form and the writ has not been returned for certain reasons stated in the affidavit of the Returning officer.

(F) Return received after the Return day.

(G) No Member Returned.

THOMAS AMIOT,
Clerk of the Crown in Chancery.

To *W. B. Lindsay, Esq.* }
Clk. Leg. Assembly. }

JOURNALS
OF THE
LEGISLATIVE ASSEMBLY
OF
CANADA.

SESS. 1841.

Parliamentum Provinciale Canadae, inceptum et tentum in
Villa Regiopoli, die Lunae, 14^o die Junii, anno regni Dominae
Nostrae VICTORIAE, Dei Gratia, Britanniarum Reginae, Fidei
Defensoris, 4^o; Annoque Domini 1841.

On which day, being the first day of the meeting of this Parliament,
for the Dispatch of Business,

His Excellency the Right Honorable *Charles*, Baron *Sydenham*,
Governor General, having by his Proclamation, hereunto annexed, dated
the fifth day of *February* last past, declared the Re-union of the Provinces
of *Upper* and *Lower Canada* into one Province, under the name of the
“Province of *Canada*,” and having, by his writs of Summons, issued
under the Great Seal of the Province, bearing teste at the Government
House, in the City of *Montreal*, the nineteenth day of *February*, also last
past, called a Provincial Parliament, which said writs of Summons were
returnable on the eighth day of *April* following, and having by divers
Proclamations prorogued the said Provincial Parliament, from time to
time, until this day, for the Dispatch of Business; the Honorable *Levis*
P. Sherwood, *William Hepburn*, and *Thomas Kirkpatrick*, Esquires,
Commissioners appointed, by *Dedimus Potestatem*, for administering the
oath to the Members of the Legislative Council and Legislative Assembly,
came, at the hour of twelve o'clock, at noon, into the room allotted for the
sittings of the Assembly; and *William Burns Lindsay*, Esquire, Clerk of the
Legislative Assembly, attending according to his duty; and *Thomas*
Amiot, Esquire, Clerk of the Crown in Chancery, having delivered, to the
said Mr. *Lindsay*, a Roll containing a list of the names of such Members as
had been returned to serve in this Provincial Parliament, (a copy whereof is
hereunto annexed) the Commissioners did administer the oath to the
Members who appeared, which being done, and the Members having
subscribed the Roll containing the oath, they took their seats in the
Assembly.

Parliament meets.

Commissioners for
Swearing in Members
attend.

Members being Sworn,
take their Seats.

Proclamation read.

The Proclamation summoning the Legislature for the dispatch of Business was then read by the Clerk ;

The 33rd Section of the Imperial Act, 3rd and 4th *Victoria*, Cap. 35. having been also read :

Mr. Cuwillier chosen Speaker.

Augustin Norbert Morin, Esquire, Member representing the County of *Nicolet*, stood up, and addressing himself to the Clerk, (who, standing up, pointed to him, and then sat down) proposed to the House for their Speaker, *Austin Cuwillier*, Esquire, in which motion he was seconded by *William Hamilton Merritt*, Esquire, Member representing the North Riding of Lincoln.

Debates arose thereon,

The House then calling for the question ; it was accordingly put by the Clerk and

Resolved, in the affirmative, *nemine contradicente*, that *Austin Cuwillier*, Esquire, be the Speaker of this House.

And the Clerk having declared Mr. *Cuwillier* duly elected he was conducted to the chair by Mr. *Morin* and Mr. *Merritt*, when, standing on the upper step, he returned his humble acknowledgements to the House for the great honor they had been pleased to confer upon him by choosing him to be their Speaker ;

And thereupon he sat down in the chair, and then the mace (which before lay under the table) was laid upon the table.

Mr. *Simpson* then addressing himself to Mr. *Speaker*, moved, seconded by Mr. *John S. McDonald*,

That the House do now adjourn until tomorrow at two o'clock P. M. Upon which the House divided,

Tellers, } For the yeas, Mr. *Aylwin*, 47,
 } For the noes, Mr. *Manahan*, .. 27.

So it was resolved in the affirmative,

House Adjourns

And the House accordingly adjourned until tomorrow at two o'clock P. M.

Martis, 15^o die Junii;

Anno 4^o *Victoriae Reginae*, 1841.

The House being met, and Mr. Speaker having taken the chair :

Message to attend the Governor General.

A Message was brought by *Frederick Starr Jarvis*, Esquire, gentleman usher of the Black Rod.

Mr. Speaker,

His Excellency, the Governor General, desires the immediate attendance of this Honorable House in the Legislative Council Chamber.

Mr. Speaker and House attend at Council Chamber.

Accordingly Mr. Speaker, with the House, went to the Council Chamber.

And there Mr. Speaker spoke to the following effect, viz :

May it please your Excellency ;

According to Law the Legislative Assembly have proceeded to the Election of a Speaker ; I am the person upon whom their choice has fallen.

If in the Execution of the important duties of my Station I should at any time fall into error, I intreat 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 Her 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.

Mr. Speaker claims Privileges of the Assembly.

Then the Honorable Speaker of the Legislative Council said :

His Excellency, the Governor General, fully confides in the duty and attachment of the Assembly to Her 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 recognize and allow their Constitutional Privileges.

Privileges obtained.

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.

The House being returned.

Mr. Speaker reported that the Assembly had been in the Legislative Council Chamber, and that he had informed His Excellency that the choice of Speaker had fallen upon him, and also that he had, in their name, and on their behalf, by humble Petition to His Excellency, laid claim to all their Rights and Privileges, that they may enjoy freedom of speech in their debates, and have access to His Excellency's person as occasion shall require, and that all their proceedings may receive from His Excellency the most favorable construction ; to which His Excellency had been pleased to say that he readily and willingly granted and allowed them all their Privileges, in as full and ample a manner as they have ever heretofore been granted, as well as ready access to His Excellency on all seasonable occasions, and that their proceedings as well as their words and actions will constantly receive from him the most favorable construction.

Mr. Speaker reports having waited upon His Excellency, &c.

Ordered—That Mr. Attorney General *Draper* have leave to bring in a Bill to require Justices of the Peace to make returns of convictions and fines.

Justices' Returns Bill read.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Ordered—That the said Bill be read a second time on this day three weeks.

A Petition of *T. Parker* and others of the county of *Hastings* in the District of *Victoria*, was presented to the House by Sir *Allan McNab* and the same was received and read, setting forth:

Hastings Election petition.

That according to previous notice given by an advertisement, an Election was held in the Town of *Belleville*, in the County of *Hastings*, in the Province of *Canada*, on *Monday*, the 22d day of *March* last, and the

Hastings- Election
petition

five subsequent days, for the purpose of choosing one discreet and proper person to represent the said County of *Hastings* in Parliament.

That the Candidates were, The Honorable *Robert Baldwin*, of the City of *Toronto*, and *Edmund Murney*, Esquire, of the aforesaid Town of *Belleville*.

That on *Saturday*, the 27th day of *March*, 1841, the Returning officer declared the said Honorable *Robert Baldwin* duly elected, because it appeared from the names taken on Record that the said *Robert Baldwin* had a majority of Thirty-six Votes, he, the Returning Officer, having refused a scrutiny demanded by the said *Edmund Murney*, Esquire, who declared that he had a majority of the legal votes polled.

That a protest was duly entered against the return made in favor of the said *Robert Baldwin*, upon various grounds, and the Petitioners now beg that their humble petition, together with the said protest may be taken into consideration by this Honorable House, and dealt with accordingly.

Petitioners beg leave to represent, that the said Honorable *Robert Baldwin* should not be the Member for the said County of *Hastings*, because it is contrary to all precedent, contrary to law and contrary to the constitution, that any person should be a Candidate for the Representation of a Town, County or Riding, who has previously been elected for any Town, County or Riding, and the said *Robert Baldwin* having, on the Eighth day of *March* last, attended as a Candidate at the Hustings, at the place appointed in the fourth Riding of the County of *York*, in the Province of *Canada*, by the Returning officer for the said fourth Riding of the County of *York*, for the purpose of choosing one discreet and proper person to represent the said fourth Riding of *York* in Parliament, and there he the said *Robert Baldwin* addressed the Electors of the said fourth Riding of *York* and solicited their suffrages, and was in consequence, by them elected to Represent the said fourth Riding of *York*, and was therefore returned duly elected by the Returning Officer of the said fourth Riding of *York*; from all of which facts, which they are ready and willing to establish before this Honorable House, it is clear, and evident, that the said *Robert Baldwin* was elected Member of the said fourth Riding, and could not therefore either according to precedent, or according to law, or according to the constitution, become a Candidate for any other Town, County or Riding, he not having previously resigned his seat, for which he was elected, and yet the Petitioners most respectfully represent that notwithstanding all these facts the said *Robert Baldwin* did, contrary to precedent, contrary to law and contrary to the constitution, on the 22d day of *March* in the year of our Lord, 1841, present himself at the Hustings in the County of *Hastings* aforesaid, being the day appointed as aforesaid to hold the Elections, for the purpose of choosing, one discreet and proper person, to represent the said County of *Hastings* in Parliament, and there he the said *Robert Baldwin* addressed the Electors, and solicited their votes, whereas from the fact of his having been before elected and returned, and being then at the time, that is to say on the said 22d day of *March*, actually the Representative of the said fourth Riding of the County of *York*, he the said *Robert Baldwin* was ineligible to become a Candidate, because thereby the due and proper number of the Representatives of this Province was lessened and diminished, and one voice taken therefrom, and that the votes recorded in favor of the said *Robert Baldwin*, were recorded in favor of a person, who, being already returned as a Member of this Honorable House, by another and different constituency, was disqualified from receiving them; and whose previous return for the said fourth Riding of the County of *York*, was a valid and sufficient, and legal notice to the Electors of the said County of *Hastings*, that the votes

so recorded in favor of the said *Robert Baldwin* were thrown away and lost, and could not legally and rightfully be taken notice of by the Returning Officer—and that the said *Robert Baldwin* could not be thereupon legally returned, or elected; for all which reasons the Petitioners pray that the Return in favor of the said *Robert Baldwin* as the Member for the said County of *Hastings* may not be received, but that this Honorable House will be pleased, so to amend the return, or cause it to be amended, as to declare the said *Edmund Murney* the Member for the said County of *Hastings*; or otherwise that this Honorable House will, for the reasons aforesaid, and in consequence of the disqualification of the said *Robert Baldwin*, by reason of the premises, hold, declare, and determine the said Election so had for the said County of *Hastings* on the said 22d day of March, and the days then next ensuing as herein before mentioned, and all proceedings thereupon had, to have been and to be utterly null and void, and of none effect, and that the seat for the said County of *Hastings* in this House, by reason of the return of a disqualified person, is vacant and unfilled.

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Petition.

Petitioners beg leave further to represent that the said *Robert Baldwin* should not be the Member for the said County of *Hastings*, because, contrary to Law, and contrary to the Constitution, intimidation, to an alarming extent, was practised against the freeholders who supported the said *Edmund Murney*, Esq. in manner following, that is to say: that he the aforesaid *Robert Baldwin*, and the Committee, who maintained his canvas, and who supported him during the said Election for the said County of *Hastings*, in violation of the Constitution, in breach of the Peace, and with a view to the suppression of the voices or votes of a large body of the Electors of the said County of *Hastings*, and for the purpose of intimidating and keeping back from the Poll the said last mentioned Electors, and contrary to Law, did make use of, and for certain reward, hire, and did maintain and keep, during the said Election, for the said County of *Hastings*, at or near the Hustings, or polling place, where the votes were recorded by the Returning Officer, a large body of armed shanty-men, bullies, and ruffians, armed with bludgeons, clubs, and sticks, and other offensive weapons, not being freeholders of the said County of *Hastings*; and the Petitioners do further respectfully represent that the said body of men so there maintained and kept as aforesaid, were secretly encouraged by the said *Robert Baldwin* and by his Committee, with his advice, to behave and conduct themselves, and that they did behave and conduct themselves, in a noisy, riotous, and brutal manner, using threatening language and gestures towards the freeholders who came to record their votes in favor of the said *Edmund Murney*, and that they did push back, lay violent hands on, and abuse the said last mentioned freeholders, and that many of the said last mentioned freeholders were forced and obliged to, and did, for the maintenance of the peace, and for the preservation of their lives and limbs, and as the only method by which they could record their votes, feign and assume to be voters for the said *Robert Baldwin*, and that then, and not till then, they were permitted by the said shanty-men, bullies, and ruffians to approach the said Hustings, and having so feigned themselves to be voters for the said *Robert Baldwin*, were violently pushed and passed from hand to hand by the said shanty-men, bullies, and ruffians, in and towards the said Hustings or polling place; and the Petitioners further respectfully represent that thereby many of the said last mentioned freeholders, who were personally known to the said shanty-men, bullies, and ruffians, or to some of them, as supporters of the said *Edmund Murney*, were forced back and deterred from voting, and that thereby the said *Edmund Murney*, Esquire, lost the support of a large number of the said last mentioned freeholders, for which last mentioned reasons, petitioners pray that the return in favor of the said *Robert*

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Petition

Baldwin, as the Member for the said County of *Hastings* may not be received, but that this Honorable House will be pleased so to amend the return, or cause it to be amended, as to declare the said *Edmund Murney* the Member for the said County of *Hastings*; or otherwise, for the reasons last above set forth, hold declare, and determine the said election so holden in and for the said County of *Hastings* on the said 22d day of *March*, and the days then next ensuing as aforesaid, and all proceedings thereupon had, to have been and to be utterly null and void and of none effect, and that the seat in this House, for the said County of *Hastings*, is vacant and unfilled.

Petitioners beg leave still further to represent that the said *Robert Baldwin* should not be the Member for the said County of *Hastings*, because, contrary to Law, and contrary to the Constitution, a large number of the names recorded as having voted for the said *Robert Baldwin* are not freeholders in the said County of *Hastings*, and consequently the majority by which he the said *Robert Baldwin* was declared elected, has no existence in fact or in law, and was and is a mere colourable majority; and because a larger number of legal votes were recorded in favor of the said *Edmund Murney*, than is in favor of the said *Robert Baldwin*, and because a large number of legal and sufficient votes offered for the said *Edmund Murney* were rejected by the returning officer, illegally and without reason, for which reasons the Petitioners pray that the return in favor of the said *Robert Baldwin* as the Member for the said County of *Hastings*, may not be received, but that this Honorable House will be pleased so to amend the return, or cause it to be amended, as to declare the said *Edmund Murney* the Member for the said County of *Hastings*.

Petitioners beg leave further to represent that from evidence which will be submitted to the committee hereafter to be appointed by this Honorable House, the Petitioners firmly believe they will make it appear that the returning officer conducted himself throughout the said election with wilful and unwarrantable partiality, and was grossly biassed in favor of the said *Robert Baldwin*, and rested unfairly and partially, solely upon the opinion of the said *Robert Baldwin*, whose opinion in opposition to a request of the Magistrates, that the said bullies and shanty-men should be disarmed, was taken and accepted and acted upon by the said returning officer, who refused to accede to the request of the said Magistrates; and the Petitioners further represent, that by and through the refusal of the said returning officer to interfere and prevent the interruption which was offered by the hired bullies, ruffians and shanty-men, before mentioned, to the freeholders, in the interest of the said *Edmund Murney*, great injustice was done to the said *Edmund Murney*, and the Petitioners believe that the fact of the returning officer's canvassing for the said *Robert Baldwin*, subsequent to his appointment, will strongly corroborate the charge which they now prefer; and for these last mentioned reasons the Petitioners further pray that the said *Robert Baldwin* may not be declared the sitting Member for the County of *Hastings*; but that this House will so amend the return, or order it to be amended that *Edmund Murney* may be declared the sitting Member for the said County; or otherwise, that this Honorable House will hold, declare, and determine for the last mentioned reasons, the said election for the said County of *Hastings* and all proceedings thereupon had to have been and to be utterly null and void, and that the seat in this Honorable House for the said County of *Hastings*, is vacant and unfilled.

Ordered—That the said Petition do lie upon the table.

Speaker reports His
Excellency's Speech.

Mr Speaker then reported, that when the House did attend His Excellency the Governor General, this day, in the Legislative Council

chamber, His Excellency was pleased to make a speech to both Houses of the Provincial Parliament, of which Mr Speaker said he had, to prevent mistakes, obtained a copy, which he read to the House, and it is as followeth:—

Speaker reports His Excellency's Speech.

*Honourable Gentlemen of the Legislative Council,—and
Gentlemen of the House of Assembly,*

I have deemed it right to assemble you at the earliest period which the circumstances of the Province, and the duties imposed upon me by the Imperial Act for the Union of the *Canadas*, under which this Legislature is constituted, have admitted; and it is with sincere satisfaction that I now meet you to deliberate on the great and important interests committed to our charge.

Speech at opening of Session.

A subject of Her Majesty, an inhabitant of this Province, has been forcibly detained in the neighbouring States, charged with a pretended crime. No time was lost by the Executive of this Province in remonstrating against this proceeding, and provision was made for ensuring to the individual the means of defence, pending the further action of Her Majesty's Government. The Queen's Representative at Washington has since been instructed to demand his release. Of the result of that demand I am not yet apprised, but I have the Queen's commands to assure Her faithful subjects in *Canada* of Her Majesty's fixed determination to protect them with the whole weight of Her power.

Arrangements were completed during the course of last summer by which, under the directions of the Treasury, the rates of Postage between all parts of this Colony and the United Kingdom were greatly reduced; and a more speedy and regular conveyance of letters between different parts of this Province has since been established, by arrangements made by the Deputy Post Master General, under my directions. A Commission has been appointed by me to enquire into and report upon the whole Post Office system of British North America, and I confidently anticipate that the result of its labours will be the establishment of a plan securing improvements in the internal communication, by Post, within the Colony, equal to those which we have already obtained in the communication with the Mother Country.

Many subjects of deep importance to the future welfare of the Province demand your early attention, upon some of which I have directed Bills to be prepared, which will be submitted for your consideration.

Amongst them, first in importance at the present juncture of affairs, is the adoption of measures for developing the resources of the Province, by well considered and extensive public works. The rapid settlement of the Country—the value of every man's property within it—the advancement of his future fortunes, are deeply affected by this question.

The improvement of the navigation from the shores of *Lake Erie* and *Lake Huron* to the ocean—the establishment of new internal communications in the Inland Districts, are works requiring a great outlay, but promising commensurate returns. To undertake them successfully, large funds will undoubtedly be required, and the financial condition of the Province, as it stands at present, would seem to forbid the attempt. But I have the satisfaction of informing you that I have received authority from Her Majesty's Government to state, that they are prepared to call upon the Imperial Parliament to afford their assistance towards these important undertakings. In the full belief that peace and tranquillity will be happily re-established in this Province, under the constitution settled by Parliament, and that nothing but a relief from its most pressing difficulties is wanting to its rapid advancement to prosperity, they will propose to Parliament, by affording the guarantee of the Imperial Treasury, for a loan to

Speech at opening
of session

the extent of no less than a million and a half sterling, to aid the Province for the double purpose of diminishing the pressure of the interest on the Public Debt, and of enabling it to proceed with those great public undertakings, whose progress during the last few years has been arrested by the Financial difficulties. I shall direct a measure to be submitted to you, embracing a plan for this purpose, and I shall lay before you, for your information and that of the People of *Canada*, extracts from the despatches which convey to me this most gratifying assurance.

In immediate connexion with the outlay of capital upon public works is the subject of Emigration, and the disposal and settlement of public lands. There exist within the Province no means so certain of producing a healthy flow of Immigration from the Mother Country, and of ultimately establishing the Immigrant as a settler and proprietor within the Colony, as the power of affording sure employment for his labor on his first arrival. The assistance of Parliament, for the Public Works which may be undertaken here, will in a great measure provide for this; but with a view further to aid Immigration, I am authorised to declare to you that Her Majesty's Government are prepared to assist in facilitating the passage of the Immigrant from the Port at which he is landed to the place where his labour may be made available, and that a vote of money for this purpose will be proposed to the Imperial Parliament. The conditions which Her Majesty's Government attach to this measure will be submitted to you, at the same time that I shall draw your attention to a scheme for the settlement and disposal of the Public Lands.

It appears highly desirable that the principles of local self-government which already prevail to some extent throughout that part of the Province which was formerly Upper *Canada*, should receive a more extended application there, and that the people should exercise a greater degree of power over their own local affairs. I have directed a measure upon this subject to be submitted to you, and I solicit your earnest attention to the establishment of such a form of local government for those Districts of the Province which are unprovided with it, as may ensure satisfaction to the people, whilst it preserves inviolate the prerogative of the Crown, and maintains the administration of Justice pure from party and popular excitement.

A due provision for the education of the people is one of the first duties of the State, and in this Province especially, the want of it is grievously felt. The establishment of an efficient system by which the blessings of instruction may be placed within the reach of all, is a work of difficulty, but its overwhelming importance demands that it should be undertaken. I recommend the consideration of that subject to your best attention, and I shall be most anxious to afford you in your labours all the co-operation in my power. If it should be found impossible so to reconcile conflicting opinions as to obtain a measure which may meet the approbation of all, I trust that at least steps may be taken by which an advance to a more perfect system may be made, and the difficulty under which the people of this Province now labor, may be greatly diminished, subject to such improvements hereafter as time and experience may point out.

Gentlemen of the House of Assembly,

The financial Accounts of the Province will be immediately laid before you, and I shall direct the estimates for the public service to be submitted to you with the least possible delay. I rely upon your co-operation in the financial measures which it will be my duty to propose to you for taking advantage of the assistance which Her Majesty's Government propose to afford, and for carrying into effect the Public improvements which are deemed most desirable. I shall earnestly endeavor that whatever you may appropriate for this latter purpose shall be economically employed and rendered effective.

Honorable Gentlemen and Gentlemen,

In your wisdom and prudence I confide for the regulation of the different important matters which must necessarily come before you. *Canada*, united under a constitution, which the Imperial Legislature has framed with an earnest desire for the welfare of this portion of the British Empire, cannot fail to prosper under prudent and sage counsels. The generous aid which I have already announced to you—the determination which I am also empowered to state on the part of the Government, to devote annually a large sum for the military defences of the Province; the fixed and settled determination which I have the Queen's commands to declare, that her North American possessions shall be maintained at all hazards as part of her empire, are pledges of the sincerity with which the mother country desires to promote the prosperity of *Canada*, and to assist in the well working of the new institutions which it has established. The eyes of *England* are anxiously fixed upon the result of this great experiment. Should it succeed, the aid of Parliament in your undertakings—the confidence of British capitalists in the credit you may require from them—the security which the British people will feel in seeking your shores and establishing themselves upon your fertile soil, may carry improvement to an unexampled height. The rapid advance of trade and immigration, within the last eighteen months, afford ample evidence of the effects of tranquillity in restoring confidence and promoting prosperity. May no dissensions mar the flattering prospect which is open before us—may your efforts be steadily directed to the great practical improvements of which the province stands so much in need, and under the blessing of that Providence which has hitherto preserved this portion of the British dominions, may your counsels be so guided as to ensure to the Queen attached and loyal subjects, and to United *Canada* a prosperous and contented people.

Speech at opening of Session.

On motion of Mr. *Prince*, seconded by Mr. *Thorburn*,

Ordered—That five hundred copies, in each of the English and French languages, of His Excellency the Governor General's Speech delivered this day, to both Houses of the Provincial Parliament, be printed for the use of the Members of this House.

Speech to be Printed.

On motion of Mr. *Morris*, seconded by Mr. *Buchanan*,

Ordered—That the Speech of His Excellency the Governor General, this day delivered to both Houses of the Provincial Legislature, be referred to a Committee of the whole House on *Friday* next.

Speech referred.

A Petition of *James W. Sharrard* and *Thomas Henry*, Christian Ministers, of the *Home* District, was presented to the House by Mr *Small*, and the same was received and read, setting forth, that Petitioners are believers in the old and new testaments and take the same as the rule of their conduct.

Petition for power to Celebrate Marriage and hold Lands.

That their communicants are about 1200 and congregation about 2500.

That two thirds of their body are British subjects.

That they are not authorized to celebrate matrimony, nor hold lands.

That they desire no greater privileges than other certain religious bodies.

And praying for a law to enable them to celebrate marriage, and hold lands for certain purposes.

And further that they may be heard at the bar upon the subject of their religious belief.

Ordered—That the said Petition do lie upon the table.

Rules and Regulations
of House.

On motion of Mr. *Simpson* seconded by Mr. *Child*,
Resolved—That a Committee of seven Members be appointed to frame Rules and Regulations for the Government of this House; that the Rules of the two former Houses of Upper and Lower *Canada* be referred to it for its guidance, with power to send for persons, papers, and records, and to report thereon with all convenient speed.

Committee on Rules

Ordered—That Mr. *Simpson*, Mr. *Aylwin*, Mr. *Cameron*, Sir *Allan MacNab*, Mr. *Neilson*, Mr. *Prince*, and Mr. *Thorburn*, do compose the said Committee.

Postage

On motion of Mr. *Thorburn*, seconded by Mr. *Morris*,
Ordered—That the Clerk be directed to charge to the Contingencies of the House, the postage on all letters not exceeding one ounce in weight, and on printed papers to and from Members of this House, during the present Session, provided, that when Petitions to this House are enclosed, the postage thereon shall be charged without restriction, as to weight.

Gaspé Fisheries Bill

Ordered—That Mr. *Hamilton* have leave to bring in a Bill to regulate the Fisheries in the District of Gaspé.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Ordered—That the said Bill be read a second time on *Monday* the twenty-first instant.

Kent Election

A Petition of J. *Woods* and others of the *Western District* was presented to the House by Sir *Allan N. MacNab* and the same was received and read, setting forth :

That the election of one Member to serve for the County of *Kent* in this Honorable House was commenced at the Town of *Chatham* in the said County on *Monday* the twenty-second day of *March*, last. *George Wule Foote*, Esquire, the Sheriff of the *Western District* being the returning officer, and the Honorable *Samuel B. Harrison*, and *Joseph Woods*, (one of your Petitioners, being) Candidates for the suffrages of the Electors of the said County, when a Poll was declared, and the Election being contested, continuing as such Candidates from its commencement on the *Monday*, until the following *Saturday*, being the period allowed by law. That during the continuance and progress of the said Election, every facility was afforded as well to those Electors who were in favor of Mr. *Harrison*, as those who were in favor of the said *Joseph Woods*, of recording their votes on the Poll Book, and that at the close of the Poll on the *Saturday* night, being the last day on which the Election could be held according to law, the said *Joseph Woods*, one of your Petitioners, had a majority of votes, as was declared from the Hustings by the Returning Officer. That according to the law and practice of Elections in this Province, the said *Joseph Woods* should have been immediately declared as duly elected by the Returning Officer, and the necessary indentures should have been executed by certain Electors of the County, and your Petitioner the said *Joseph Woods* returned by the said Returning Officer as duly elected to serve for the said County of *Kent* in this Honorable House, but instead of the Returning Officer making such return, he illegally fraudulently, and improperly has refused to execute the necessary indentures, or to make such declaration or return, and has returned on the writ of Election, as your Petitioners have reason to believe, that the said *Joseph Woods* had a majority of votes, and that a scrutiny had been demanded by certain freeholders of the said County, claiming a majority of legal votes in favor of Mr. *Harrison*, to be proceeded in by the Returning Officer, and two other persons, one to be nominated by each of the said Candidates. That the said *Joseph Woods*, after

the close of the said Poll, on the last day of the Election, refused, and has always since refused to enter into such scrutiny, conceiving that according to the law of this Province, that no scrutiny could be entered into to question the legality of votes, except before this House, or a Committee appointed by this House, and that any such proceedings before or by the Returning Officer would be as illegal as unusual, and that no such scrutiny has been proceeded in ; that the conduct of the said Returning Officer, in refusing to return the said *Joseph Woods*, and in making such return as above stated, was not only manifestly illegal and unjust, but was also on that and on several other occasions, during and after the said Election, partial and improper, and unworthy the trust and confidence reposed in him as such Returning Officer, and was utterly subversive of the rights and privileges of the great body of the Electors of the said County, and was and is destructive of the purity of Elections.

Kent Election.

Petitioners therefore humbly pray that this Honorable House would direct the said *George Wade Foote*, Esquire, the said Returning Officer, to alter and amend his said return, and to return to this Honorable House that the said *Joseph Woods*, is duly elected by a majority of forty-three votes.

Ordered—That the said Petition do lie upon the table.

Ordered—That Mr. *Aylwin* have leave to bring in a Bill for better securing the independence and uprightness of the Judges.

Independence of Judges Bill read and ordered to be printed.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Ordered—That the said Bill be read a second time on *Saturday* next.

Ordered—That one hundred copies of the said Bill be printed for the use of Members of this House.

A Petition of *John Decow* and others of the County of *Haldimand*, in the District of *Niagara*, was presented to the House by Mr. *Merritt*, and the same was received and read, praying that an Act may be passed to establish a company, to be called "The *Haldimand* Glass Works Company."

Petition for Glass Works.

Ordered—That the said Petition do lie upon the table.

A Petition of *Jacob Gross* and *Daniel High*, Ministers of the Menonist Church, and others, was presented to the House by Mr. *Merritt*, and the same was received and read, praying that the laws of 1836 in relation to Militia fines, may be restored and acted upon,

Petition for Militia Law amendment.

Ordered—That the said Petition do lie upon the table.

A Petition of *Alexander Garner* and others of the Township of *Gainsborough*, in the *Niagara* District, was presented to the House by Mr. *Merritt*, and the same was received and read, praying for a grant of fifty pounds to finish a certain road.

Petition for Money for Roads.

Ordered—That the said Petition do lie upon the table.

A Petition of *John Cole*, of the Township of *Louth*, in the District of *Niagara*, was presented to the House by Mr. *Merritt*, and the same was received and read, setting forth, that he has served as a British Soldier in several engagements in *Upper Canada*, during the late war with the *United States*, under command of Capt. *Alexander Cameron*, deceased ; that he is now seventy years of age, helpless, nearly blind, decrepid, and very poor, and praying that his case may be taken into consideration, and a pension granted him.

Petition of John Cole for Pension.

Ordered—That the said Petition do lie upon the table.

John Kalar, praying Relief from unjust Judgments.

A Petition of *John Kalar*, of the County of *Lincoln*, in the *Niagara* District, was presented to the House by Mr. *Merritt*, and the same was received and read, setting forth, that unjust Judgments have been awarded against him in the Court of requests and district Court, in said district, and praying relief in the premises.

Ordered—That the said petition do lie upon the table,

Petition for Arrears Pension.

A petition of *Adam Stull* and *Peter Lampman* of the Township of *Grantham*, was presented to the House by Mr. *Merritt* and the same was received and read, setting forth, that they receive a pension, each, of twenty pounds per annum, under the authority of an act of the Provincial Parliament of 1838, that they were deprived of their pension for two years after passing of said act, though the conditions demanded by the same have been complied with by petitioners, and praying that such remuneration may be afforded them as tried, faithful, and loyal subjects, they are entitled to,

Ordered—That the said Petition do lie upon the table.

Petition for grant of money to complete Grimsby Harbour, or that it may be made a public work.

A Petition of the President and Directors of the *Grimsby Harbor* Company was presented to the House, by Mr. *Merritt*, and the same was received and read, setting forth, that an act of incorporation was granted in 1835, for building a harbour at the mouth of the 40 mile Creek in the Township of *Grimsby* with a capital of £3000. That £1200 have been subscribed, and £417,19,5 paid in ; that from the depressed state of the Country for years past, and in the absence of available capital, Petitioners are unable to accomplish the work, and, therefore, pray for a grant of £1500 for that purpose, or that the work may be made a public work.

Ordered—That the said Petition do lie upon the table.

Bill—Freedom of Elections, read

Ordered—That Mr. *Baldwin* have leave to bring in a Bill, the better to provide for the Freedom of Elections throughout this Province and for other purposes therein mentioned,

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Bill—Notaries in the District of Gaspé, read.

Ordered—That Mr. *Hamilton* have leave to bring in a Bill to amend a certain Ordinance passed in the third year of Her Majesty's reign, intituled “ an Ordinance to provide permanently for the want of Notaries in the “ Inferior District of *Gaspé*, and to remove doubts therein mentioned.”

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Ordered—That the said Bill be read a second time on *Friday* the eighteenth day of *June* instant.

Niagara contested Election

A Petition of *Robert Melville* and *John McBride*, Electors of the Town of *Niagara*, was presented the House by Mr. *Baldwin* and the same was received, and read, setting forth :

That at the last Election of a Member to serve in this Present Parliament, for the said Town of *Niagara*, *Henry John Boulton*, Esquire, and *Edward Clarke Campbell*, Esquire, were Candidates to represent the said Town.

That a Poll being demanded, the same was granted, and proceeded on, and *John L. Alma*, Esquire acted thereat as Returning Officer.

That at and during the said Election, the said *John L. Alma* demeaned himself in an arbitrary, partial, violent, and illegal manner, greatly to the vexation of the Electors in the interest of the said *Henry John Boulton*, and to the prejudice of the said *Henry John Boulton*, as such Candidate, and contrary to the duty of the said Returning Officer.

That the said Returning Officer frequently decided questions against the said *Henry John Boulton*, while under the influence of such violent passion and excitement, as to be incapable of exercising a sound and impartial judgment, after refusing to hear reasoning or agreement against the course he was pursuing, and with unbecoming heat and violent jesticulation, arbitrarily deciding questions against the right of Electors, to vote in favour of the said *Henry John Boulton*, where a due sense of Justice, and a calm and unbiassed consideration of the circumstances would have produced a contrary decision,

Petition against
Niagara Election.

That the said *John L. Alma*, illegally, knowingly, and wilfully received colourable and fraudulent votes in favour of the said *Edward Clarke Campbell*, while he rejected votes, tendered by duly qualified Electors, in favour of the said *Henry John Boulton*, and that by these means a great many of fraudulent and colourable votes were recorded upon the Poll in favour of the said *Edward Clarke Campbell*, and many legal votes tendered in favour of the said *Henry John Boulton* were rejected,

That on closing the Poll on the fifth day of the said election, it was declared by the said Returning Officer, with the consent of the said *Henry John Boulton* and *Edward Clarke Campbell*, that the Poll should be finally closed on the following day (being the last day of the Election) at five o'clock, being the hour of adjournment on each day previously during the said Election, and that such agreement was made public by the said Returning Officer, and that his determination to close the Poll at that hour was frequently promulgated during the last day of the Election, and was fully understood by the Electors and Candidates.

That about three o'clock in the afternoon of the last day of the said Election, the said Returning Officer publicly announced his intention of polling his own vote at five minutes before five, the hour fixed for finally closing the Poll as aforesaid, and that as the hour approached, he the said Returning Officer held his watch in his hand, the said *Henry John Boulton* being then in a nominal minority, although when the hour of five arrived, he the said *Henry John Boulton* had polled the votes of a number of Electors, equal to the number of persons polled for the said *Edward Clarke Campbell*, whereupon the numbers being declared equal by the said Returning Officer at the said hour of five, he also declared "that he would not take any more votes, that the Poll was closed, that the numbers were equal, and that he would make no return"

That accordingly he did close the Poll, the Electors separating and going away, the Candidates and the Returning Officer departing from the Poll under the belief that the Poll was finally closed, nevertheless the said Returning Officer, having subsequently consulted in private with person in the interest of the said *Edward Clarke Campbell*, and in his presence, but in the absence of the said *Henry John Boulton*, determined about six o'clock to re-open the Poll,

That the arrangement so made by the Returning Officer, and agreed to by the said Candidates for closing the Poll on *Saturday*, at five o'clock in the afternoon, was perfectly just to all parties, and afforded every elector in the Town a full opportunity of tendering his vote before that hour, as the voters had come in very slowly during *Friday*, and not more than ten persons polled during the whole of *Saturday*, and that if any elector had abstained from tendering his vote before five o'clock, when the Poll was closed, it was his own fault, as there were long intervals during the day when no elector appeared to vote, and therefore the Returning Officer was bound to close the Poll at the hour appointed, even had an elector tendered his vote after that hour,

That the said Returning Officer did nevertheless, in compliance with

Objection against
Niagara Election.

the advice of the friends of the said *Edward Clarke Campbell*, illegally and improperly re-open the Poll without the knowledge or consent, and in the absence of the said *Henry John Boulton*, and did shortly afterwards admit, in favour of the said *Edward Clarke Campbell*, the votes of *Robert Reid* and *Thomas Buggans*, who notoriously had no right to vote, thereby giving a colourable majority to the said *Edward Clarke Campbell*, in violation of his duty as such Returning Officer, and to the manifest destruction of the purity of Electors.

That the said *Edward Clarke Campbell*, by himself, his agents, or managers, and by persons employed in his behalf, before, and at, and during the time of such election, was guilty of bribery and other corrupt practices, in order to procure some persons having no right to vote, and others having or claiming to have a right to vote at the said election to vote for him the said *Edward Clarke Campbell*, and to forbear to vote for the said *Henry John Boulton*, and in order to procure the said *Edward Clarke Campbell* to be returned to serve in this present Parliament.

That the said *Edward Clarke Campbell*, by himself, his agents, or workmen, erected and caused to be erected at his own expense, costs and charges, and after the teste of the said writ of election for this Town in and upon divers vacant plots of ground, in the said Town of *Niagara*, held, or pretended to be held by certain conveyances, divers small moveable buildings, intended to be represented as dwellinghouses, in order that the persons holding or pretending to hold, by virtue of such conveyances, the said plots of ground, wherever the same were placed, might vote at the Election, for the said *Edward Clarke Campbell*, under colour of such buildings being their dwelling houses, although in truth, and in fact such buildings were not dwelling houses, within the meaning of the several Acts of Parliament, in that behalf, in fraud of the elective franchise, and in violation of the purity of Election; that the foregoing, and many other circumstances, shewing the right to vote on such newly erected buildings, to have been merely colourable, were admitted before the Returning Officer, at the Poll, by the persons so voting previous to such illegal votes being received; nevertheless, with a full knowledge of the facts, and circumstances rendering such votes colourable, the said Returning Officer admitted them to vote for the said *Edward Clarke Campbell*, contrary to his duty in that behalf. That by the foregoing, and divers other illegal, and undue means, a colourable majority of electors appears on the Poll, to have voted for the said *Edward Clarke Campbell*, whereas in truth, and in fact a majority of the *bona fide* Electors of the said Town, voted and tendered to vote in favor of the said *Henry John Boulton*.

Petitioners therefore humbly pray this Honorable House to take the premises into its consideration, and that the House will declare the return of the said *Edward Clarke Campbell*, to be illegal and void, and that the said *Henry John Boulton*, ought to have been returned, and that the return to the said writ of Election for said Town may be amended, and the said *Henry John Boulton*, declared to have been duly elected; and to be sitting member, for the said Town of *Niagara*, or that this Honorable House will grant such further relief, in the premises as to its wisdom may seem meet.

Ordered—That the said Petition do lie upon the table.

On Motion of Mr. *Hale*, seconded by Mr. *Cameron*,

Resolved—That, pending the Report of the Special Committee appointed to frame Rules and Regulations for the Government of this House, the Rules and Regulations of that part of this Province, late the Province of Lower *Canada*, be adopted and acted upon.

On motion of Sir *Allan MacNab*,—seconded by Mr. *Strachan*,

Lower Canada Rules
acted upon, pending
Report of Committee

Ordered—That Mr. Attorney General *Ogden*, and Mr. Attorney General *Draper*, be added to the Committee appointed to frame Rules and Regulations for the Government of the House,

Rules and Regulations

Then, on motion of Mr. *Cartwright*,
The House adjourned until one o'clock P. M. tomorrow.

Mercurii 16^o Junii, 1841.

Anno 4^o *Victoriæ Reginae, 1841.*

On motion of Sir *Allan MacNab*, seconded by Mr. *Prince*,

Ordered—That Mr. Speaker, do issue his warrant to the Clerk of the Crown in Chancery, to make out a new writ for the Election of one Knight of the shire, to serve in the present Parliament, for the County of *Middlesex*, in the room and place of *Thomas Parke*, Esquire, who, since his Election, hath accepted the office of Her Majesty's Surveyor General for this Province.

New Writ to issue for Middlesex.

A Petition of *William Dunlop*, of Gairbraid, in the County of *Huron*, Esquire, was presented to the House by Mr. *Prince*, and the same was received and read setting forth :

That at the last Election for the County of *Huron*, the Petitioner and *James McGill Strachan*, of the City of *Toronto*, Esquire, were the only Candidates for the representation of the said County, and that *Henry Hyndman* of the said County, Esquire, executed the office of Returning Officer at the said Election.

Petition against the Huron Election.

That a Poll being demanded for each Candidate, the same was granted and proceeded on from the twenty-second day of *March*, until the twenty-seventh day of the same month, when the said Returning Officer declared the majority to be in favor of the said *James McGill Strachan*; the number polled for the Petitioner being 149, and for the said *James McGill Strachan*, 159, and the said *James McGill Strachan*, was thereupon returned by the said Returning Officer as duly elected.

That at the said Election divers persons claiming to vote in respect of estates held by them under deeds of conveyance, were admitted to poll for the said *James McGill Strachan*, and counted on the poll in his favor, who were not intitled to vote at the said election, they not having been in actual possession, or in receipt of the rents and profits of the estates in respect of which they voted, by virtue of the said respective deeds of conveyance to them, for twelve calender months, next before the said election; nor the said deeds of conveyance, under which they claimed to hold the estates in respect of which they severally voted, having been registered twelve calender months, before the holding of the said election.

That also votes were polled and given in favor of the said *James McGill Strachan* by persons who had not in fact, at the time of the said election, any freehold in the lands in respect of which they voted, that also several persons voted at the said election in favor of the said *James McGill Strachan*, who were not at the full age of twenty-one years at the time of holding the said election.

That by the admission of persons to vote at the said election, who from the above, and other various legal disabilities, were incompetent to vote for any candidate at the said election, the said *James McGill Strachan* obtained

Petition against Huron election

a colourable majority of ten votes, and was therefore returned to serve in this Honorable House for the said county of *Huron*, to the great prejudice of the Petitioner, who had, upon the said election, as he submits it will appear, upon a scrutiny of the poll, a majority of good and legal votes, and is therefore entitled to take his seat in this Honorable House, as the representative member of the said county.

Petitioner therefore humbly prays, that the said *James McGill Strachan* may be declared not duly elected, and that the Petitioner may be declared duly elected and may be substituted in the place of the said *James McGill Strachan*, to take his seat as knight to represent the said county in the present Provincial Parliament, and that this Honorable House will grant such further relief to Petitioner as the merits of the case may require.

Ordered—That the said Petition do lie upon the table.

Petition against Lennox and Addington Election.

A Petition of *David Roblin*, and others, freeholders of the incorporated counties of *Lennox* and *Addington*, in the *Midland* District, was presented to the House by Mr. *Hincks*, and the same was received and read, setting forth :

That the Petitioners are freeholders in the incorporated counties of *Lennox* and *Addington*, in the *Midland* District of the said Province, and as such are entitled to vote at the election of a member to represent the said incorporated counties in the Legislative Assembly of the said Province.

That at the election of such member of the Legislative Assembly for the said incorporated counties, held at *Bath*, on *Monday* the fifteenth day of *March* last, *Benjamin Ham*, Esquire, and *John Solomon Cartwright*, Esquire, were respectively proposed as candidates to represent the said incorporated counties in such Legislative Assembly, and *Allan McDonell*, Esquire, the sheriff of the said *Midland* District acted as the Returning Officer and presided at the said election.

That the said *John Solomon Cartwright*, by means of bribes, treats, rewards, or favors, or promises of bribes, treats, rewards, or favors, paid, given, or offered, or promised to be paid or given by himself, or others, as his friends, agents, committee, or supporters, to divers freeholders and electors of the said counties, and by threats and intimidation, and other corrupt and illegal acts, induced certain of such electors to tender their votes at the said election, for him the said *John Solomon Cartwright*, and the said *Allan McDonell* admitted the votes of such electors for the said *John Solomon Cartwright*.

That the said *John Solomon Cartwright*, by reason of such bribes, treats, or favors, or promises thereof, and by the said threats and intimidation, and other corrupt and illegal conduct, became and was and is disqualified from sitting in this present Parliament as a member of the Legislative Assembly, and ought not to have been returned, as the member for the said counties at the late election.

That during the said election, the said *Allan McDonell* conducted himself as such Returning Officer, in an arbitrary, partial, illegal and overbearing manner, in order to intimidate the electors at the said election, and to favour the said *John Solomon Cartwright*, and that by reason thereof, freeholders, desirous of tendering and recording their votes in favor of the said *Benjamin Ham*, were prevented from so doing, and the said *Allan McDonell*, by the rejection of good votes tendered for the said *Benjamin Ham*, and also by his arbitrary, partial, illegal, and overbearing conduct, induced the said *Benjamin Ham*, to relinquish the contest, when many votes remained unpolled, and the said *Allan McDonell*, illegally and improperly returned the said *John Solomon Cartwright*, as duly elected,

although the said *John Solomon Cartwright*, was and is disqualified, as above set forth, from sitting in the said Legislative Assembly ; and the majority on the poll in favour of the said *John Solomon Cartwright*, was only collusive and colourable, and the said *Benjamin Ham*, was and is entitled to the majority of the good and legal votes.

Petition against Lennox and Addington election.

Petitioners therefore humbly pray the House to enquire into the merits of the said election, and the conduct of the said *John Solomon Cartwright*, and *Allan McDonell*, in regard thereto, and to relieve the petitioners, either by requiring the said *Allan McDonell*, to amend the return made by him of the said *John Solomon Cartwright*, by inserting the name of the said *Benjamin Ham*, in such return, in place of that of the said *John Solomon Cartwright*, disqualified from sitting in the said Legislative Assembly, by reason of the bribery and other corrupt and illegal acts, committed by him the said *John Solomon Cartwright*, as above mentioned, or cause a new writ to issue for the election of a fit and proper person to represent the said counties of *Lennox* and *Addington*, in place of the said *John Solomon Cartwright*. Petitioners crave permission to offer evidence in support of the allegations of their petition, before a Committee of this Honorable House, which may be appointed to try the merits of the said election.

Ordered—That the said Petition do lie upon the table.

A Petition of *Benjamin Ham*, of the township of *Ernestown*, was presented to the House by Mr. *Hmcks*, and the same was received and read, setting forth : that at the election of a member to serve in the first Parliament to be holden in the united Province of *Canada*, for the incorporated counties of *Lennox* and *Addington*, which said election was held at the village of *Bath*, in the said incorporated counties, on *Monday*, the fifteenth day of *March* last, petitioner and *John Solomon Cartwright*, now the sitting member, were respectively proposed as candidates to represent the said incorporated counties in the Legislative Assembly of the said first Parliament, and *Allan McDonell*, Esquire, the Sheriff of the said *Midland* District, acted as the Returning Officer, and presided at the said election.

That the said *John Solomon Cartwright*, by means of bribes, treats, rewards, or favors, paid, given, or offered, or promised to be paid or given by himself or by others, as his friends, agents, committee, or supporters, to divers freeholders and electors of the said counties ; and by threats and intimidation, and other corrupt and illegal acts, induced certain of such electors to tender their votes at the said election, for him the said *John Solomon Cartwright*, and the said *Allan McDonell* admitted the votes of such electors, for the said *John Solomon Cartwright*.

That the said *John Solomon Cartwright*, by reason of such bribes, treats, or favors, or promises thereof, and by the said threats and intimidation, and other corrupt and illegal conduct, become, and was, and is disqualified from sitting in this present Parliament, as a member of the Legislative Assembly, and ought not to have been returned as the member for the said counties at the late election.

That during the said election, the said *Allan McDonell* conducted himself, as such Returning Officer, in an arbitrary, partial, illegal, and overbearing manner, in order to intimidate the electors at the election, and to favor the said *John Solomon Cartwright*, and that by reason thereof, freeholders desirous of tendering and recording their votes in favor of petitioner, were prevented from so doing ; and the said *Allan McDonell*, by the rejection of good votes tendered for petitioner, and also by his arbitrary, partial, illegal, and overbearing conduct, induced the Petitioner to relinquish the contest, when many votes remained unpolled, and the said

Petition against Lennox and Addington election

Allan McDonell, illegally, and improperly returned the said *John Solomon Cartwright*, as duly elected, although the said *John Solomon Cartwright*, was and is disqualified, as above set forth, from sitting in the said Legislative Assembly, and the majority on the poll, in favor of the said *John Solomon Cartwright*, was only collusive and colourable, and that petitioner was and is entitled to the majority of the good and legal votes.

Petitioner therefore prays the House to inquire into the merits of the said election, and the conduct of the said *John Solomon Cartwright*, and *Allan McDonell* in regard thereto, and to relieve petitioner either by requiring the said *Allan McDonell*, to amend the return made by him of the said *John Solomon Cartwright*, by inserting the name of petitioner in such return in place of that of the said *John Solomon Cartwright*, disqualified from sitting in the said Legislative Assembly, by reason of the bribery and other corrupt and illegal acts committed by him the said *John Solomon Cartwright*, as above mentioned, or cause a new writ to issue for the election of a fit and proper person to represent the said counties of *Lennox* and *Addington*, in the place of the said *John Solomon Cartwright*.

Petitioner craves permission to offer evidence in support of the allegations of this petition, before the committee of this House, to be appointed to try the merits of said election.

Ordered—That the said Petition do lie upon the table.

Turnpike, district of Gore

A Petition of divers freeholders residing in the district of *Gore*, was presented to the House by *Mr. Durand*, and the same was received and read, praying to be incorporated for the purpose of making a turnpike road up the mountain, east of *Mr. Rees Tunis*, of *East Flamborough*, in the district of *Gore*.

Ordered—That the said Petition do lie upon the table.

Petition of Cyprian Morgan for Naturalization

A Petition of *Cyprian Morgan*, of the township of *Yonge*, in the district of *Johnstown*, was presented to the House by *Mr. Morris*, and the same was received and read, setting forth his desire to become possessed of the rights and privileges of a British Subject, and praying that a law may be passed conferring the same upon him.

Ordered—That the said Petition do lie upon the table.

Petition of H. Clarke for Naturalization.

A Petition of *Harvey Clarke*, of the Township of *Yonge*, in the District of *Johnstown*, was presented to the House by *Mr. Morris*, and the same was received and read, setting forth same as last.

Ordered—That the said Petition do lie upon the table.

Petition of R. J. Turner for authority to practice the Law

A Petition of *Robert J. Turner*, of the Town of *Kingston*, was presented to the House by *Mr. Price*, and the same was received and read, setting forth: that petitioner is duly admitted a Solicitor and Attorney, and hath practised in the Courts of Chancery, Queen's Bench, Common Pleas, and Exchequer, in England, for a period of 18 years, and hath been engaged for some time as an Equity draftsman, in this Province, and being desirous to practice as a Solicitor in the Court of Chancery, and Attorney in the Queen's Bench, humbly prays that an act may be passed to authorise the Court of Chancery and Court of Queen's Bench of this Province, respectively, to admit him to practice therein as a Solicitor and Attorney.

Ordered—That the said Petition do lie upon the table,

Contested Election of county of Kent

On motion of *Sir Allan MacNab*,—seconded by *Mr. Aylwin*.

Ordered—That *Thomas Amiot*, Esquire, Clerk of the Crown in chancery, do appear before this House, tomorrow, the seventeenth day of *June* instant, with the Return of the County of *Kent*, and that he do lay the same before this House.

A petition of divers electors of the County of *Montreal*, was presented to the House by the Honorable Mr. *Neilson*, and the same was received and read, setting forth,

Contested Election of
the County of Montreal

That an election was held on *Monday* the twenty-second day of *March* last, at the Village of *St. Laurent*, by, *E. M. Leprohon* Esquire, Returning Officer, and for the purpose of choosing a member to represent the said County in the Assembly of the Province.

The candidates were *A. M. Delisle* and *James Leslie*, the latter having been declared to have the shew of hands in his favor, a Poll was demanded by the supporters of *A. M. Delisle*, which was opened by the Returning Officer, who continued to receive for about the space of an hour without interruption, the votes of the electors.

At this period the majority in favor of *James Leslie*, was rapidly increasing, when a most brutal attack was made upon his supporters by a number of hired bullies and other persons in the interest of the said *A. M. Delisle*, which resulted in the death of one person, and in grievous bodily injuries to many.

In consequence of the riot, the Returning Officer adjourned the Poll until the following day, for the purpose of obtaining, as he publicly declared, the assistance of the military in order to enable him to preserve order.

The Poll was re-opened next morning by the Returning Officer, although he had been refused military assistance, and was aware that the village was occupied by a large body of men brought from a distant county, in that part of the Province, formerly known as *Upper Canada*, together with an immense number of persons from town, partizans of the said *A. M. Delisle*, at whose head was a man who the evening before advised them to accompany him to the election with fire arms, to avenge the death of the bully, who was killed the previous day, and prevent the return of the said *James Leslie*.

By these men the electors residing in *St. Laurent* were driven from their homes, and those who had come from the adjoining parishes returned, rather than have recourse to violence, which must have terminated with bloodshed before they could have approached the Poll.

Notwithstanding these occurrences, and the protest of the other candidate the Returning Officer considered it his duty to return *A. M. Delisle* as duly elected.

Petitioners therefore pray that, in consequence of the violence used by the supporters of the said *A. M. Delisle*, to prevent the electors from peaceably recording their votes, this House will either declare that *James Leslie*, who at the time the riot commenced and the Poll was adjourned, was in the majority, should have been returned, or cause the election to be annulled, and afford an opportunity to the county, freely to elect the person of its choice.

In the latter case Petitioners pray that the House would adopt such measures as in its wisdom may seem meet to prevent the occurrence of similar scenes, otherwise they must cease to exercise their elective franchise, or go armed to resist, with effect, any attempt that may be made to interfere with them in the exercise of their constitutional rights.

Petitioners further impress upon the House the necessity of an immediate investigation into the disgraceful occurrences that have taken place at several of the elections in this district, in order to bring to condign punishment, the conspirators, who have dared, by the means of hired bands of armed ruffians, to murder and maltreat the electors, and impose upon them as their representatives, persons in whom they have no confidence.

Ordered—That the said Petition do lie upon the table.

Contested Election of
the County of Montreal

A Petition of *James Leslie*, of the City of *Montreal*, Merchant, was presented to the House by the Honorable Mr. *Neilson*, and the same was received and read, setting forth :

That an election was held on *Monday* the twenty-second day of *March* last, at the village of *St. Laurent* by *E. M. Leprohon*, Esquire, Returning Officer, for the purpose of choosing a member to represent the county of *Montreal* in the Legislative Assembly in the Province.

That the Candidates were *A. M. Delisle*, Esquire, one of the Clerks of the Peace for the District, and the Petitioner, who having been declared to have the shew of hands in his favor, a poll was demanded by the supporters of the said *A. M. Delisle*, which was opened by the Returning Officer, who continued to received for about the space of an hour without interruption the votes of the electors.

That at this period the majority in favor of the petitioner was rapidly increasing, when a most brutal attack was made upon his supporters by a number of hired bullies, and other persons in the interest of the said *A. M. Delisle*, which resulted in the death of one person, and in grievous bodily injuries to many.

That in consequence of the riot, the Returning Officer adjourned the poll until the following day, for the purpose of obtaining, as he publicly declared, the assistance of the Military, in order to enable him to preserve order.

That the poll was re-opened next morning by the Returning Officer, although he had been refused Military assistance, and was aware that the village was occupied by a large body of men brought from a distant county, in that part of the Province formerly known as *Upper Canada*, together with an immense number of persons from town, partizans of the said *A. M. Delisle*, at whose head was a man who, the evening before, ordered them to accompany him to the election with fire arms, to avenge the death of the bully that was killed the previous day, to prevent the return of the Petitioner.

That by these men the electors residing in *St. Laurent* were driven from their homes, and those who had come from the adjoining parishes, returned rather than have recourse to violence, which must have terminated in bloodshed before they could have approached the poll.

That notwithstanding these occurrences and the protest of the Petitioner, the Returning Officer proclaimed *A. M. Delisle*, as duly elected. And Petitioner prays that, in consequence of the violence used by the supporters of the said *A. M. Delisle*, to prevent the electors from peaceably recording their votes, that the House will either declare that the Petitioner, who at the time the riot commenced and the poll was adjourned, was in the majority, should have been proclaimed as duly elected, or cause the election to be annulled, and afford an opportunity to the county freely to elect the person of its choice.

Ordered—That the said Petition do lie upon the table.

Petition in behalf of
Timber Trade

A Petition of *William Walker*, and other inhabitants of the City of *Quebec*, was presented to the House by the Honorable Mr. *Neilson*, and the same was received and read, setting forth :

That the export trade of this Province in Timber and Deals has grown to a great extent, under protecting duties established by the Imperial Parliament since 1810, and since maintained with one exception, namely, the imposition of a duty of 10s. per load on Canadian Timber, in 1821 : that the Inhabitants of the colonies have confided in the regulations made by acts of the Imperial Parliament in its wisdom unsolicited by them. That the supply of British Manufacture is chiefly obtained by means of this trade ; that the alarm has become general, fearing change in the protection here-

tofore given to the said trade, by recent proceedings in the Imperial Parliament; and praying that such representations may be made to Her Majesty, as to the wisdom of the Assembly may seem meet and expedient.

Petition in behalf of
Timber Trade.

Ordered—That the said Petition do lie upon the table.

Ordered—That one hundred copies of the said Petition, be printed in the English and French languages, for the use of the members of this House.

Petition to be Printed

A Petition of divers inhabitants of the *Home* District, was presented to the House by Mr. *Small*, and the same was received and read, setting forth—That doubt and anxiety have lately arisen respecting the law of dower.—That a very general practice prevails of taking deeds of conveyance, without reference to the law of dower—That a question has arisen, which is likely to cause much difficulty, and litigation, in absence of any defined law, in respect to rights of widows to improvements made on lands subsequent to conveyance made by their husbands, and praying for an act for remedy thereof.

Petition on subject of
Dower.

Ordered—That the said Petition do lie upon the table.

A Petition of *George Rykert*, and others, inhabitants of the District of *Niagara*, was presented to the House by Mr. *Merritt*, and the same was received and read, setting forth—That they have addressed memorials to the Provincial Parliament, from year to year since 1834, praying for the establishment of a Bank at *Saint Catharines*—That a Bill has several times, passed the House of Assembly, to charter such Bank, but never received the Royal assent—That they have been refused privileges, granted to other portions of the province, and praying that the increased business on the *Welland Canal*, and in the district generally, may induce the House to grant them a charter with a capital of five hundred thousand pounds.

Petition— Bank at St.
Catharines

Ordered—That the said Petition do lie upon the table.

A petition of *John Grubb*, *Thomas Musson*, and others, inhabitants of the Townships of *Etobicoke*, *Vaughan*, *King*, and other places in the *Home* District, was presented to the House by Mr. *Price*, and the same was received and read, setting forth—That the road leading from the *Peacock Inn*, on *Dundas* street, through said townships, is the only great thoroughfare to a rich, and fertile section of the *Home* District; that it would conduce greatly to the prosperity of the inhabitants of said townships, and others, if said line of road, or a portion of it were planked, drained, and made straight; that tolls might be collected to pay principal, and interest of £3,500; which sum would improve said road in manner desired for a distance of six miles—Petitioners, therefore, pray that a bill may be passed authorising the raising by loan the sum of £3,500, or such other sum, as to the wisdom of the House may seem meet for the accomplishment of said improvement.

Petition for authority
to loan money for im-
proving roads.

Ordered—That the said Petition do lie upon the table.

Ordered—That Mr. *Merritt*, have leave to bring in a bill for the relief of disabled, and infirm persons.

Bill for Relief of Dis-
abled and Infirm

He accordingly presented the said bill to the House, and the same was received, and read for the first time.

Ordered—That the said bill be read a second time on monday week,

A Petition of divers Inhabitants of the *Grand River Lands*, in the county of *Haldimand*, in the District of *Niagara*, and of other adjacent places, in the District of *Gore*, was presented to the House by Mr. *Thompson*, and the same was received and read, setting forth, the necessity of the erection of a bridge across the *Grand River*, at the village

Petition for authority
to build a bridge across
the Grand River

Petition for authority to build a bridge across the Grand River.

of *Caledonia*, in the county of *Haldimand*—That Petitioners and others have already subscribed about £400 towards the erection of a bridge over the *Grand River* at said place, and that sufficient will speedily be obtained for the accomplishment of said object, if a law be passed authorising the same, and praying that an act may be passed, for the purpose, authorising the levying of tolls, or under such regulations as may seem meet to the House.

Ordered—That the said Petition do lie upon the table.

Newspapers to be subscribed for by Clerk.

On Motion of Mr. *Black*, seconded by the Hon. Mr. *Moffatt*.

Resolved—That the Clerk of this House be authorised to subscribe for the newspapers published in this province, for the purpose of being laid on the table of the library, and to complete the files already therein for the use of the members.

Bill for improvement of Administration of Justice

Ordered—That Mr. *Black*, have leave to bring in a bill for improving the administration of criminal justice in this Province.

He accordingly presented the said bill to the House, and the same was received and read for the first time.

Ordered—That the said bill be read a second time upon this day fortnight.

Bill for Amending Laws — Larceny and other offences.

Ordered—That Mr. *Black*, have leave to bring in a bill for consolidating, and amending the laws in this province, relative to larceny and other offences connected therewith.

He accordingly presented the said bill to the House, and the same was received and read for the first time.

Ordered—That the said bill be read a second time upon this day fortnight.

Bill—Benefit of Clergy — Larceny, Injuries to person, &c — repeal.

Ordered—That Mr. *Black* have leave to bring in a bill for repealing various statutes in this province, relative to the benefit of clergy, and to larceny, and other offences connected therewith, to malicious injuries to property, and to offences against the person.

He accordingly presented the said bill to the House, and the same was received, and read for the first time.

Ordered—That the said bill be read a second time upon this day fortnight.

Bill—Offences against the person

Ordered—That Mr. *Black*, have leave to bring in a bill for consolidating, and amending the laws in this province, relative to offences against the person.

He accordingly presented the said bill to the House, and the same was received and read for the first time.

Ordered—That the said bill be read a second time upon this day fortnight.

Bill — Malicious injuries to property.

Ordered—That Mr. *Black*, have leave to bring in a bill for consolidating and amending the laws in this province, relative to malicious injuries to property.

He accordingly presented the said bill to the House, and the same was received and read for the first time.

Ordered—That the said bill be read a second time upon this day fortnight.

Petition of Ichabod Wing for indemnity.

A Petition of *Ichabod Wing*, of *Chautauque*, in the State of *New York*, was presented to the House by Mr. *Morris*, and the same was received, and read, setting forth—That in the year 1813, petitioner was called upon to bear Arms, as a militia man; but being a member, or associate of the society called *Quakers* or *Friends*, conscientiously refused; that he was

fined, and committed to the gaol of the district ; that while confined, as aforesaid, namely on the 7th day of *February* A. D. 1813, a party of Troops from the *United States*, under a Captain *Forsyth*, forcibly took possession of said gaol, and carried away the petitioner with many other British Subjects, as prisoners to *Ogdensburgh* in the State of *New York* ; that he never bore arms against the British Government nor took the oath of allegiance to any foreign power, nor done any act contrary to his duty as a British Subject—That when taken prisoner, as aforesaid, he was the owner of four hundred acres of Land in the 5th and 6th concessions of *Elizabethtown*, which was forfeited and vested in the crown in consequence of his so leaving the province, which land has since been sold ; and praying for authority to traverse the inquisition by which his land became forfeited, or such other relief as may be thought meet.

Petition of Ichabod Wing for indemnity.

Ordered—That the said Petition do lie upon the table.

A Petition of *A. Gigonell, Jean Bte. Constantin*, and others, electors of the county of *Terrebonne*, was presented to the House by Mr. *Aylwin* and the same was received and read, setting forth,

Petition contested election, county of Terrebonne.

That an election was held on *Monday* the twenty-second day of *March* last, at the place commonly called *New Glasgow*, in the said county, by *John McKenzie*, Esquire, Returning Officer, for the purpose of choosing a member to represent the said county of *Terrebonne* in the Legislative Assembly of the said Province.

That the candidates were *Louis Hypolite Lafontaine*, Esquire, Advocate, of the City of *Montreal*, and Dr. *Michael McCulloch*, Physician, of the same place, who both appeared on the Hustings ;

That after having gone through all the preliminary forms as prescribed by Law, the said Returning Officer did require the electors then and there present, to name the person of whom they were willing to make choice, as a member, to serve in the said Assembly, for the said county of *Terrebonne*, when the said *Louis Hypolite Lafontaine*, had the show of hands in his favor, whereupon a poll was demanded by Dr. *Michael McCulloch*, or some of his supporters ; and that afterwards, amidst violence and blood shed which forced the said *Louis Hypolite Lafontaine*, to withdraw by protesting against the Returning Officer, the said Dr. *Michael McCulloch*, was by the said Returning Officer, illegally and unduly proclaimed member elect for the said county.

And petitioners now pray, that the said election and proclamation, so made by the said Returning Officer, of the said *Michael McCulloch*, as having been returned for the said county, be annulled and set aside for, among others, the following reasons, viz :

1st. Because the Hustings was not held at the place pointed out in the advertisements of the said Returning Officer.

2nd. Because the said Returning Officer, after having read the writ of election, at a certain place, determined upon taking the votes of the electors in a house situated at a more distant and other place, which to the knowledge and in the sight of the said Returning Officer, was then and there kept and surrounded with force and violence by several hundreds of men armed with clubs, staves and other offensive weapons, the greatest number of whom were strangers to the said county and had no right to vote therein, all of which being done in the view and with an intent to prevent the electors from going to vote at the said election.

3rd. Because the said Returning Officer proceeded with the said election, in the presence of several hundreds of men armed with clubs, staves and other offensive weapons, without, on his part, having taken any means to disperse or arrest them, or cause them to retire from the Hustings and without even having made any attempt to do so, representing or

Petition contested
election county of
Terrebonne.

declaring himself then and there incapable of interposing his authority to maintain peace and order, and give the electors a free access to the Hustings.

4th. Because, previous to and during the proceedings of the said Returning Officer at the said election, in his sight and to his certain knowledge, several of the electors, whilst peaceably repairing to the place of the said election, were assailed and beaten with clubs, staves and other offensive weapons, without the said Returning Officer having taken any means to protect them, then and there declaring himself incapable of maintaining peace and order at the said election.

5th. Because scenes of violence occurred during the proceedings of the said Returning Officer, to prevent the peaceable electors from freely exercising their elective franchise, and that it was then and there evident, by the threats, and conduct of the great number of persons, who then and there, during the proceedings of the said Returning Officer, and in his presence, were then armed with clubs, staves and other offensive weapons, that the peaceable electors, of the said county could not have approached the Poll to give in their votes, without rendering other scenes of violence, that would have led to bloodshed and to the murder of a great number of persons inevitably.

6th. Because, during the proceedings of the said Returning Officer, at the place of the said election, several persons were cruelly beaten and ill treated with clubs and staves, among whom was found a man named *Toussaint Rose*, of *St. Martin*, in the said county who afterwards died of wounds inflicted on him, with clubs, during the said election.

7th. Because in consequence of the acts of violence and intimidation above related, in order to avoid greater disturbances and a greater effusion of blood, no other means remained to the said *Louis Hypolite Lafontaine*, one of the candidates, and to the electors willing to give him their suffrages, but to withdraw from the place of election, and protest against the said election and the proceedings of the said Returning Officer.

8th. Because hired bands of men, strangers to the said county, armed with clubs, staves and other offensive weapons, have been by the said supporters, of the said *Michael McCulloch*, brought from distant parts of the Province, to the place of the said election, in order to frighten, intimidate, beat, and even to murder the peaceable electors, at the said election.

9th. Because, at the costs and charge of the said Dr. *Michael McCulloch* as well by himself as by means of others in his interest or favor, houses of public intertainment have been opened and supported, or caused to be opened and supported, before and during the said election, in the limits of the said county, the whole in contravention to the law.

All of which allegations petitioners are ready to prove.

Wherefore petitioners, pray the House to take their petition, into its serious consideration, and declare the above mentioned election null and illegal, as also the proclamation made by the said Returning officer, at the said election, of the person of the said Dr. *Michael McCulloch*, to represent the electors of the said county of *Terrebonne* in the Legislative Assembly of this province; and that the House would adopt such measures, as in its wisdom may seem meet, to prevent the occurrence of similar scenes, otherwise they must cease to exercise their elective franchise, or go armed to resist with effect any attempt that may be made to interfere with them in the exercise of their constitutional rights.

Petitioners desire further earnestly, and solemnly to impress upon the House, the necessity of an immediate investigation into the disgraceful occurrences which have taken place at several of the elections in this district in order to bring to condign punishment the conspirators who

have dared, by means of hired bands of armed ruffians, to murder and ill treat the electors, and impose upon them as their representatives, persons in whom they have no confidence.

Petition, contested election, county of Terrebonne.

Ordered—That the said Petition do lie upon the table.

A Petition of *Louis H. Lafontaine*, Esquire, of the City of *Montreal*, was presented to the House by Mr. *Aylwin*, and the same was received and read setting forth :

The same.

That an election was held on *Monday*, the twenty-second day of the month of *March* last, at the place commonly called *New Glasgow* in the county of *Terrebonne*, in the said Province, by *John McKenzie*, Esquire, Returning Officer, for the purpose of choosing a member to represent the said county of *Terrebonne* in the Legislative Assembly of the said Province.

That the candidates, at the said election, were Dr. *Michael McCulloch*, Physician of the City of *Montreal*, and petitioner, and that they both appeared on the Hustings at the election.

That after having gone through all the preliminary forms as prescribed by law, the said Returning Officer did require the electors then and there present to name the person of whom they were willing to make choice, as a member to serve in the said Assembly for the said county of *Terrebonne*, when the said *Louis Hypolite Lafontaine*, had the show of hands in his favor, whereupon a Poll was demanded by the said Dr. *Michael McCulloch*, or some of his supporters, and that afterwards, amidst violence and bloodshed, which forced petitioner to withdraw by protesting against the Returning Officer, the said Dr. *Michael McCulloch*, was by the said Returning Officer illegally, and unduly proclaimed member elect of the said county.

Petitioner now prays that the said election, and prolamation so made by the said Returning Officer of the said Dr. *Michael McCulloch*, as having been returned for the said county, be annulled and set aside for, among others, the following reasons viz.

1st. Because the *Hustings* was not held at the place pointed out in the advertisements of the said Returning Officer.

2nd. Because the said Returning Officer after having read the writ of election at a certain place, determined upon taking the votes of the electors, in a house situated at an other and more distant place, which to the knowledge, and in the sight of the said Returning Officer was then and there kept, and surrounded with force and violence, by several hundreds of men, strangers to, and unentitled to vote in the said county, armed with clubs, staves and other offensive weapons, all of which was done in the view, and with the intent to prevent the electors from going to vote at the said election,

3rd. Because previous to and during the proceedings of the said Returning Officer, at the said election, in his sight and to his certain knowledge, several of the electors, whilst peaceably repairing to the place of the said election were assailed and beaten with clubs, staves and other offensive weapons, without the said Returning Officer having taken any means to protect them, then and there declaring himself incapable of maintaining peace and order at the said election.

4th. Because, such scenes of violence occurred during the proceedings of the said Returning Officer, as prevented the peaceable electors from freely exercising their elective franchise, and it was then and there evident by the threats and conduct of the great number of persons who, during the proceedings of the said Returning Officer, and in his presence, were thus armed with clubs, staves, and other offensive weapons, that the peaceable electors of the said county could not have approached the Poll, to give in their votes, without rendering inevitable other scenes of violence that

Petition, contested
election. county of
Terrebonne.

would have led to bloodshed, and to the murder of a great number of persons

5th. Because during the proceedings of the said Returning Officer, at the place of the said election, several persons were cruelly beaten and illtreated with clubs, staves, and other offensive weapons, among whom was an individual named *Toussaint Rose* of *St. Martin*, in the said county, who afterwards died of the wounds inflicted on him with clubs, staves, and other offensive weapons during the said election.

6th. Because in consequence of the acts of violence and intimidation above related, no means of avoiding greater disturbance and preventing further effusion of blood, remained to the Petitioner, one of the said candidates, and to the electors willing to give him their suffrages, but to withdraw from the place of election, and protest against the said election and the proceedings of the said Returning Officer.

7th. Because hired bands of men, strangers to the said county, armed with clubs, staves and other offensive weapons, were by the supporters of the said *Dr. Michael McCulloch*, brought from distant parts of the province, to the place of the said election in order to frighten, intimidate, beat and even to murder the peaceable electors, at the said election.

8th. Because at the costs and charges of the said *Dr. Michael McCulloch*, as well by himself, as by means of others, in his interest or favor, houses of public entertainment have been opened or supported, or caused to be opened and supported, before and during the said election and in the limits of the said county, the whole in contravention to the law.

All which allegations petitioner is ready to prove.

Wherefore petitioner prays the House, to take this his petition, into its serious consideration, and declare the above mentioned election null and illegal, as also the proclamation made by the said Returning Officer, at the said election of the person of the said *Dr. Michael McCulloch* to represent the electors of the said county of *Terrebonne* in the Legislative Assembly of this Province of *Canada*.

Ordered—That the said petition do lie upon the table

Then on motion of Mr. *Henry Smith*, seconded by Mr. *Hamilton*.
The House adjourned until to morrow.

Jovis, 17^o die Junii;

Anno 4^o Victoriae Reginae, 1841.

Recognizance, Lennox
and Addington elec-
tion

Mr. Speaker acquainted the House that *David Roblin* and *Benjamin Ham* had entered into the usual recognizance required by Law, on the subject matter of the contested election for the incorporated counties of *Lennox* and *Addington*.

Petition of inhabitants
of Rouville—(Rouville
election)

A Petition of Divers electors of the county of *Rouville*, was presented to the House by Mr. *Quesnel*, and the same was received and read, setting forth—

That an election was held on *Monday* the *eighth* day of *March* last, at the village of *Henrysville* in the said county of *Rouville* by *Hiram Hitchcock*, Returning Officer, for the purpose of choosing a member to represent the said county of *Rouville* in the Assembly of the Province. That the candidates were *Timothé Franchère*, Esquire, and *M. A. De Salaberry*,

Esquire; the former having been declared to have the show of hands in his favor, a Poll was demanded by the supporters of the said *M. A. De Salaberry* which was opened by the Returning Officer, who continued to receive on that day, without interruption, the votes of the electors.—That on *Tuesday* the *second* day of the Poll, the majority in favor of *Timothé Franchère*, Esquire, was rapidly increasing, when a number of persons, supporters of *M. A. De Salaberry*, Esquire, were seen in the Poll House with bludgeons and other weapons in their hands, preventing by violent threats, the electors of *Timothé Franchère*, Esq., from exercising their constitutional rights. At the close of the Poll Mr. *Franchère* having then a majority of about one hundred and fifty votes, the supporters of his opponent made a violent and most brutal attack on the electors of *Timothé Franchère*, Esq., and compelled them to leave the place.—That on *Wednesday* morning several double sleighs came to the poll with eight or ten persons in each, all of whom were known to be *M. A. De Salaberry's* supporters, bearing flags, and having also, what they styled, shillelachs in their hands. At the adjournment of the Poll, at one o'clock in the afternoon, Mr. *Franchère* was still one hundred and twenty-one votes above his opponent. On returning to the Poll, at two o'clock, accompanied by about two hundred electors, a number of hired bullies rushed out of the Tavern occupied by *Goodenough* and immediately attacked with deadly weapons, *Timothé Franchère*, Esquire, and his voters, who were unarmed, which resulted in the death of one person, named *Julien Choquet*, and in grievous and serious bodily injuries to many others of the same party. These furious violaters of the law, yet unsatisfied with this perpetration, pursued, after the opening of the Poll, the inoffensive and unprotected electors who were desirous and anxious to inscribe their votes in favor of *Timothé Franchère*, Esquire, as far as the French Village, when being still full of the darkest malice committed a shameful Riot, by breaking open the doors and windows of the houses belonging to Messrs. *Garipey* and *Darche*:—Moreover several of these men came in the Poll room with their blood stained weapons in the presence of the Returning Officer, and during the polling hours, still threatening the lives of the electors of *Timothé Franchère*, Esquire, and were not by him arrested nor reprovved in any way, but on the contrary were allowed to remain undisturbed, and by that means, tacitly protected; these persons having been pointed out by the said electors, who claimed his official intervention. In consequence of the aforesaid violence and entrance to the Poll being obstructed and that with force and arms, the only votes inscribed from that moment were in favor of *M. A. De Salaberry* Esquire.

Petition of inhabitants of Rouville—(Rouville election.)

By these means the electors residing in the village were driven from their homes and those who had come from the adjoining and distant parishes returned without voting, rather than have recourse to violence, which must have terminated with bloodshed before they could have approached the poll. Notwithstanding this *Timothé Franchère*, Esquire, had at the close of the Poll a majority of fifty-one votes—That among the many acts of corruption and violence, the petitioners would expose to the House that promises were made and gifts in money offered and allowed to several persons for their votes, and that taverns were open and expenses paid by *M. A. De Salaberry's* supporters and to his knowledge; The whole contrary to Law—That notwithstanding these occurrences and the protest of *Timothé Franchère*, Esquire, the Returning Officer considered it his duty to continue the Poll, so as to give a majority to *M. A. De Salaberry*, Esq., and return him duly elected. Petitioners therefore pray that in consequence of the violence and other means of corruption used by the supporters of *M. A. De Salaberry*, Esq., to prevent the electors from freely and peaceably recording their votes, the House will either declare that *Ti-*

Petition of inhabitants
of Rouville—(Rouville
election)

mothé Franchère, Esq., who at the adjournment of the Poll on *Wednesday* evening, was in the majority, should have been returned, or cause the election to be annulled and afford an opportunity to the county freely to elect the person of its choice.

In the latter case Petitioners pray that the House would adopt such measures as in its wisdom may seem fit, to prevent the occurrence of similar scenes; otherwise they must cease to exercise their Elective Franchise or go armed to resist, with effect, any attempt that may be made to interfere with them in the exercise of their constitutional rights.

Ordered—That the said petition do lie upon the table.

Petition of T. Fran-
chère against return of
M. A. De Salaberry

A petition of *Timothé Franchère* of the parish of *St. Mathias* in the district of *Montreal*, Merchant, was presented to the House by Mr. *Quesnel*, and the same was received and read setting forth.—

That an election was held on *Monday*, the eighth day of *March* last, at the village of *Henryville*, in the county of *Rouville*, by *Hiram Hitchcock*, Returning Officer, duly appointed by Her Majesty's writ, for the purpose of choosing a member to represent the said county of *Rouville*, in the Assembly of the Province. That the candidates at the said election were *M. A. De Salaberry*, Esquire, of the parish of *Chambly*, in the said district, and the Petitioner. That after the preliminary forms being gone through, the Petitioner having in his favor a show of hands, a poll was demanded by the supporters of the said *M. A. De Salaberry*, which demand being then granted, the said Returning Officer began to take the votes of the electors, and continued so to do on that day without interruption.— That on *Tuesday*, the second day of the poll, the majority in favor of petitioner was rapidly increasing; but that against the peace, and contrary to the writ of Her Majesty, a number of persons, supporters of the said *M. A. De Salaberry*, were seen in the poll-house, armed with clubs, staves, and other offensive weapons, preventing, by violent threats and menaces, the supporters of petitioner from giving their votes in his favour. That at the close of the poll the second day, petitioner's majority being then about one hundred and fifty votes, the supporters of his opponent, armed with clubs, staves, and other offensive weapons, made a violent and brutal attack upon petitioner's supporters, and compelled them to leave the place. That on *Wednesday*, the third day of the said poll, the supporters of the said *M. A. De Salaberry* were seen coming to the poll in double sleighs, eight or ten persons in each, bearing flags, and armed with clubs, staves, and other offensive weapons, and that at the adjournment of the poll at one o'clock in the afternoon, petitioner had yet a majority of one hundred and twenty-one votes. That on returning to the poll at two o'clock P.M. on *Wednesday* aforesaid, petitioner and the great number of electors accompanying him, unarmed and inoffensive, were violently attacked by a number of riotous individuals, armed with clubs, staves, and other offensive weapons, supporting the said *M. A. De Salaberry*, and that several of petitioner's supporters were grievously wounded, one of whom, an individual of the name of *Julien Choquet*, afterwards died of the wounds so received at the said election, and that these violators of the law, unsatisfied with this perpetration, pursued the electors supporting petitioner, and prevented them from coming near the poll and giving their votes in favor of petitioner. That several of these men, so armed with clubs, staves, and other offensive weapons, came into the poll-house, in the presence of the Returning Officer, and during the polling hours, threatening the lives of the electors supporting petitioner, and were neither arrested nor reproved in any way, but on the contrary, were allowed to remain undisturbed, and by those means tacitly protected, although pointed out by the said electors, claiming from the Returning Officer, his official

intervention—That inasmuch as a large number of armed individuals prevented the electors from coming near the poll and giving their votes in favor of petitioner, and kept back, with all sorts of menaces and ill-treatment, the supporters of petitioner, the said election was by no means free, but on the contrary, petitioner was thereby prevented from being duly elected as he ought to have been, and a false and unjust return was thereby illegally, violently, and corruptly secured in favor of the said *M. A. De Salaberry*, as member for the said county—That previous to and during the said election, large sums of money were expended by the partizans of the said *M. A. De Salaberry*, to defeat the liberty of the said election, to pay and feed the armed force and other riotous people above mentioned; and taverns were also kept open, and intoxicating liquors were distributed to such as would declare themselves partizans of the said *M. A. De Salaberry*—the whole contrary to law—That in law and in fact petitioner was duly elected to serve for the said county, and that the insertion in the return of the said *Hiram Hitchcock* of the name of the said *M. A. De Salaberry* was illegal, fraudulent, corrupt, and an act of open violence against the rights and liberties of the electors of the said county. Whereupon petitioner humbly prays the House will diligently inquire into the facts set forth in the present petition, and thereupon order that the pretended election of the said *M. A. De Salaberry* be declared null and void, and that petitioner's name be inserted in the said return of the said *Hiram Hitchcock*, instead of that of the said *M. A. De Salaberry*, and that petitioner be admitted to take his seat accordingly, and that the House will further ordain and decree in the matter as in law and justice it may appertain.

Petition of T. Franchère against return of M. A. De Salaberry.

Ordered—That the said petition do lie upon the table.

A Petition of *William Henderson Edwoods* and divers others, people of colour, was presented to the House by the Honorable Mr. *Dunn*, and the same was received and read, setting forth, that they have emigrated from the *United States of America*, and are now settled in the city of *Toronto* and its vicinity, and being desirous of holding lands, pray that a law may be passed for their naturalization.

Petition of W. H. Edwoods and others.

Ordered—That the said petition do lie upon the table.

Mr. *Simpson*, from the Special Committee appointed to frame Rules and Regulations for the Government of this House, presented to the House the Report of the said Committee, which was again read at the Clerk's table, as followeth:—

Select Committee on Rules report.

The Committee appointed to frame Rules and Regulations for the Government of the House, and to whom the Rules of the two former Houses of *Upper and Lower Canada* were referred for its guidance, have the honor to report—

That, in obedience to the instructions of the House, they have framed a Code of Rules and Regulations for the Government of the House, which they have annexed to this Report, and which they respectfully submit to the House for its consideration.

By order of the Committee;
JOHN SIMPSON, *Chairman*.

A Petition of *Jacob Dewitt* of the City of *Montreal*, Esquire, was presented to the House by Mr. *Morin*, and the same was received and read, setting forth:

Petition of Jacob De Witt complaining of the undue return of T. W. Dunscombe, for the county of Beauharnois.

That an election of a knight to serve in the present parliament, for the county of *Beauharnois* took place in the course of *March* last, according to Her Majesty's writ duly issued to that effect, and that the holding of the said election, and the opening of the Poll thereat, were held at

Petition of Jacob De Witt complaining of the undue election of J. W. Dunscomb, for the county of Beauharnois.

Ormesstown, in the said county of *Beauharnois*, on the eighth day of said *March* last, the said election to be thence continued, according to law. That petitioner, who had represented the said county of *Beauharnois*, for many years, in the late Assembly of *Lower Canada*, was invited by a large majority of freeholders, qualified to vote at the said election, to become a candidate for the high trust of representing the said county in the present parliament, and accordingly became a candidate, and was present as such, at the opening of the Poll, as aforesaid; and, being duly qualified to be elected, was present at the said election to receive the votes of the freeholders as aforesaid—That, however, the writ of Her Majesty and the principles of the British constitution, which ought, of right and justice, to be attended to, were totally disregarded and violated at the said pretended election, as well on the part of the Returning Officer, *William Bowron*, Esquire, as on the part of a great number of riotous and armed individuals, the largest part of whom were strangers to the said county of *Beauharnois*, or had no vote therein, who, together with some few electors of the other candidate, *J. William Dunscomb*, Esquire, who were also armed and riotously arraigned against the faithful execution of Her Majesty's said writ, prevented, with open and constant violence, and with force and arms, and also with bribery and corruption, the free and inoffensive electors of the said county from giving their votes at the said election in favour of petitioner—That the said *William Bowron* acted, at the said election, with partiality and corrupt motives, and was actively and illegally employing himself during all the time, and long before the said election, as an active partizan of the said *J. W. Dunscomb*, and violently opposed to Petitioner and the known determination of the great majority of electors supporting Petitioner, and that the said *William Bowron*, being otherwise unacquainted with the language of a large portion of the said electors, and unable to conduct the said election properly, on that account, was in fact during the said election, an active and violent partizan of the said *J. W. Dunscomb*—That the said *William Bowron*, previously to his being appointed Returning Officer, as aforesaid, went round the said county, at different times, and was engaged in an extensive correspondence, to solicit the electors to support the said *J. W. Dunscomb* and oppose the petitioner, and that the said *William Bowron*, was even sent to *Montreal* with another individual, on the part of the partizans of the said *J. W. Dunscomb*, to invite him to present himself at the said election—That having been, in the meantime, appointed Returning Officer, the said *William Bowron* did not abandon his canvassing in favour of the Petitioner's opponent, but continued in the same course, and being a party in the violence which was then before hand prepared, and being one of those who were guilty of the said violence, had unlawfully arranged all matters to proclaim the said *J. W. Dunscomb* as being duly elected, notwithstanding the well known determination of the electors, and went even so far as to advise the keeper of a hotel in the vicinity of the Poll, before the election, not to make any great preparations for the reception of voters, as the election, under any circumstances, was not to last more than two days—That the said county contains over seven hundred square miles, thickly inhabited, and that at the last general election the polling lasted nearly three weeks, the said *William Bowron* being then, all the time, a candidate—That from the large number of armed individuals preventing the electors from coming near the Poll and giving their votes to petitioner, and keeping back the electors at a distance with all sorts of menace and illtreatment, the said election, was by no means free, but that the danger for the life and security of voters was such, that the said *J. W. Dunscomb* was returned as a member with an apparent majority of about one hundred and fifty votes, while the said county contained

near four thousand voters, three fourths of whom were at a distance, and on their way to come and vote in favour of Petitioner, and actually coming to the said Poll for the purpose of voting, but were prevented with an armed force and all sorts of violence, and turned back by armed men, bearing the uniform of volunteers then in Her Majesty's service, and armed as such, and countenanced as well by their commanding officers, as, by the said *William Bouron*, and the said *J. W. Dunscomb*—That the said military force and other organized partizans from without the county, or having no votes therein, prevented the petitioner from being duly elected as he ought to have been, and illegally, violently, and corruptly, secured in favour of the said *J. W. Dunscomb* a false and unjust return as member for the said county—That previous to and during the said pretended election, large sums of money were expended by persons unknown to petitioner to defeat the liberty of the election, to pay and feed the armed force and other riotous people mentioned above, and that a large mill, and the miller's dwelling house, were converted into a tavern to distribute intoxicating liquor to such as would declare themselves partizans of the said *J. W. Dunscomb*; and that a tavern bar was specially erected for that purpose, before the election, in the above mentioned mill, and that the same was kept open during the election, and for some time after the closing thereof—That deadly weapons, clubs, and other offensive arms, were used at the said election by the military force and other armed partizans aforesaid, to prevent the electors from voting in favour of petitioner, whose voters were kept and forcibly turned back, their carriages and sleighs being turned out of the road, and some being even constrained to come and vote, against their opinion, for the said *J. W. Dunscomb*; and several electors favorable to petitioner, when repairing to the Poll, were beaten to death, and also several others grievously wounded, by the partizans of the said *J. W. Dunscomb*, while none of the partizans of the latter were in any way injured, but while the voters of your petitioner behaved all the time in the most quiet and peaceable manner, and were obedient to the laws and the true interests of Her Majesty's said writ—That threats of violence, to intimidate electors favorable to petitioner, had also been used a long time before the election, and all over the said county, by the said partizans, and even by persons holding the commission of magistrates, some of whom even menaced to kill the inhabitants if they came to vote—That on the second day of the said pretended election, a riot was excited near the Poll, by a violent assault on the part of the aforesaid partizans of the said *J. W. Dunscomb*, and that thereupon the said *William Bouron* publicly, and loudly gave notice that he did adjourn the Poll for one full hour, and that thereupon the voters of petitioner dispersed to come again within the limited time, but that as soon as they were at a distance, few minutes having not yet elapsed, the said Returning officer began again to take votes in favor of *J. W. Dunscomb*, whose partizans had knowingly kept their ground upon an understanding of what was to happen; and that since that time petitioner's voters never having been able to obtain access to the Poll, petitioner thought it his duty to resign, under protest, and appeal to this Honorable House—That in law and in fact Petitioner was duly elected at the said election to serve for the said county, and that the insertion in the return of the said *William Bouron*, of the name of the said *J. W. Dunscomb*, was illegal, fraudulent, corrupt, and an act of open violence against the rights and liberties of the electors of the said county—Whereupon petitioner humbly prays the House diligently to inquire into the facts thus set forth, and thereupon order that the pretended election of the said *J. W. Dunscomb* be declared null and void, and petitioner's name be inserted in the said return, instead of that of the said *J. W. Dunscomb*, and that

Petition of Jacob De Witt complaining of the undue election of J. W. Dunscomb for the county of Beauharnois

petitioner be admitted to take his seat accordingly and that the House will further ordain and decree in the matter, as in law and justice it may appertain.

Ordered—That the said petition do lie upon the table.

Petition complaining
of Vaudreuil election.

A Petition of divers Electors of the County of *Vaudreuil* was presented to the House by Mr. *Morin* and the same was received and read setting forth

That an Election was held on *Monday* the eighth day of *March* last past, at the village of *Cedars*, in the county of *Vaudreuil* by *Michel Lefebvre*, Esquire, Returning Officer, for the purpose of choosing a Member to represent the county in the Assembly of the Province.

The candidates were *John Simpson*, and *André Jobin*, Esquires; the latter having been declared returned, by show of hands in his favor, a Poll was demanded by the supporters of *J. Simpson*, which was opened by the Returning Officer, who continued to receive the votes of the electors till four o'clock, and then adjourned to the day after, the ninth of *March*; on which day the Returning Officer continued to record the votes till about half-past two o'clock without interruption, at which period the majority in favor of *André Jobin* was about sixty votes a head, and was rapidly increasing; when a most brutal attack was made upon *A. Jobin's* supporters by a number of hired bullies and other persons in the interest of *J. Simpson*; which resulted in grievous bodily injuries to many of *A. Jobin's* supporters, who were all driven from the Poll and prevented to return to it by a large mob of bullies and ruffians armed with sticks, axes, and other weapons, and by one *Roebuck*, the step-son of the said *J. Simpson*; and from thence the supporters of *A. Jobin* were entirely prevented to approach the Poll: notwithstanding these occurrences and the protest of *A. Jobin*, the Returning Officer considered it his duty to return said *J. Simpson*, as duly elected.

Petitioners therefore pray that, in consequence of the violence used by said *J. Simpson* and his supporters, with his knowledge and consent, to prevent the electors from peaceably recording their votes, the House will either declare that *A. Jobin*, who, at the time the riot commenced, was in the majority, should have been returned, or cause the election to be cancelled, and afford an opportunity to the electors of the county freely to elect the person of their choice: in the latter case, Petitioners pray that the House would adopt such measures as to its wisdom may seem meet, to prevent the occurrence of singular scenes, otherwise they must cease to exercise their elective franchise, or go armed to resist, with effect, any attempt that may be made to interfere with them in the exercise of their constitutional rights.

Petitioners further earnestly and solemnly impress upon this Honorable House an immediate investigation into the disgraceful occurrences that have taken place, at several of the elections in the District of Montreal; in order to bring to condign punishment the conspirators who have dared, by the means of hired bands of armed ruffians, to assault and murder the electors, and impose upon them, as their representatives, persons in whom they put no confidence.

Ordered that the petition do lie upon the table.

Another Petition complain-
ing of Vaudreuil
election

A Petition of *André Jobin*, Esquire, was presented to the House by Mr. *Morin* and the same was received and read setting forth—

That an election was held on *Monday* the eighth day of *March* last, at the village of *les Cédres*, in the said county, by *Michel Lefebvre*, Esquire, Returning Officer for the purpose of choosing a member to represent the county in Assembly of this Province.

The candidates were *John Simpson*, Esquire, and Petitioner: the

latter having been declared returned by shew of hands in his favour, a Poll was demanded by the supporters of *John Simpson* which was opened by the Returning Officer, who continued to receive the votes of the electors till four o'clock, on that day, and adjourned to the day after, on which day the votes of the electors continued to be taken until about half-past two o'clock, without interruption, at which period the majority in favour of petitioner was about sixty, and was rapidly increasing, when a most brutal attack was made upon Petitioner's supporters by a number of hired bullies and other persons in the interest of *John Simpson*, which resulted in grievous bodily injuries to many of petitioner's supporters who were immediately driven from the Poll and prevented to return to it by a large mob of bullies and ruffians armed with sticks and headed by one *Roebuck*, the step-son of said *Simpson*, who prevented the supporters and voters of Petitioner to approach the Poll.

Another Petition complaining of Vaudreuil election.

Notwithstanding these occurrences, and the protest of Petitioner, the Returning Officer considered it his duty to return said *J. Simpson*, as duly elected.

Petitioner therefore pray that in consequence of the violence used by said *J. Simpson* and his supporters to prevent the electors from peaceably recording their votes, this House will declare null and void, as well the election of said *J. Simpson*, as the Proclamation of the Returning Officer, declaring him duly elected, as a Member to represent the county of *Vaudreuil* in the House of Assembly, of this Province; and that this House will declare Petitioner duly elected, or cause a new election to be made.

Ordered—That the said Petition do lie upon the Table.

Ordered—That Mr. *J. S. Macdonald* have leave to bring in a Bill to amend the Heir and Devisee Act.

Heir and Devisee Bill

He accordingly presented the said Bill to the House and the same was received and read for the first time.

Ordered—That the said Bill be read a second time on *Wednesday* next.

On the motion of Mr. *Simpson* seconded by Mr. *Hamilton*,

Ordered—That the Rules and regulations for the Government of this House, reported by the Special Committee, be referred to a Committee of the whole House this day, and that it be the second order of the day.

Rules and Regulations referred to Committee of whole.

On the motion of *Sir Allan MacNab*, seconded by Mr. *Hincks*,

Kent Election.

Ordered—That leave be given to take up that item, on the Order of the day Book, relative to the *Kent* election.

According to the order of the House, of *yesterday*, the Clerk of the Crown in Chancery delivered in the return for the county of *Kent*.

Return delivered in and referred to Committee of whole.

On motion of *Sir Allan MacNab*, seconded by Mr. *Morin*,

Ordered—That the said return be now referred to a committee of the whole House.

The House accordingly resolved itself into the said committee.

Mr. *Taschereau* took the chair of the committee, and after some time spent therein,

Mr. Speaker resumed the chair—

And Mr. *Taschereau* reported that the committee had come to several resolutions; which resolutions were again read at the Clerk's table and agreed to by the House, and are as followeth:

Resolutions on Kent Election reported.

Resolved—That it appears by the return of the Returning Officer, appointed to preside at the last election of a member for the county of *Kent*; that, at the close of said election, *Joseph Woods*, Esquire, one of the

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- Resolutions on Kent election candidates, had a majority of votes, and that notwithstanding this, the said Returning Officer, *George Wade Foote*, Esquire, did not declare and return the said *Joseph Woods*, as duly elected.
- Resolved*—That the said *Joseph Woods*, Esquire, ought to have been returned, as knight representative, for the county of *Kent*, in this present parliament.
- Resolved*—That the said *Joseph Woods* has a right to take his seat in this House, as representative for the said county of *Kent*, saving, however, to all candidates and electors their right of contesting the said election, if they think proper, in such manner as may appertain in law and justice, and according to the usage of parliament.
- Resolved*—That the Clerk of the Crown in Chancery do, forthwith, appear before this House, and do amend the return for the said county of *Kent*, by stating that, at the said election the said *Joseph Woods*, was duly elected to represent the said county of *Kent*.
- Return for county of Kent amended In conformity to the last of the above resolutions, the Clerk of the Crown in Chancery did appear before the House and did amend the return of the said county of *Kent*, by stating that, at the election, the said *Joseph Woods* was duly elected to represent said county of *Kent*.
- House in committee on Rules and Regulations The Order of the day for the House in Committee on the rules and regulations for the Government of this House reported by the special Committee, being read,
- The House accordingly resolved itself into said committee.
- Mr. *Durand* took the chair of the committee, and after some time spent therein,
- Progress Mr. Speaker resumed the chair, and Mr. *Durand* reported that the committee had made some progress and had directed him to move for leave to sit again.
- Ordered*—That the said committee have leave to sit again to-morrow.
- Mr. Woods takes his seat *Joseph Woods*, Esquire, member for the county of *Kent*, having previously taken the oath according to Law, and subscribed before the commissioners the roll containing the same, took his seat in the House.
- Then, on motion of Mr. *Aylwin*, seconded by Mr. *Hamilton*, The House adjourned until to-morrow at 10 o'clock, A. M.
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Veneris 18^o die Junii.

Anno 4^o Victoriae Reginae, 1841.

10 o'Clock, A. M.

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- Mr. Christie takes his seat *Robert Christie*, Esquire, member for the county of *Gaspè*, having previously taken the oath according to Law, and subscribed before the Commissioners the roll containing the same, took his seat in the House.
- Printing Committee. On motion of Mr. *Morris*, seconded by the Honorable Mr. *Dunn*.—*Resolved*—That a standing committee of five members be forthwith appointed to superintend the printing of this House, during the present session.
- Ordered*—That Mr. *Morris*, Mr. *Boswell*, Mr. *Duncombe*, Mr. *Neilson*, and Mr. *Parent*, do compose the said committee.

Ordered—That Captain *Steele* have leave to bring in a bill to amend an act of that part of the province formerly called *Upper Canada*, intituled “An act to provide for the making and keeping in repair the *West Gwilliambury* road and bridge; and to authorize the erection of “a toll gate thereon.”

Gwilliambury Road & Bridge bill.

He accordingly presented the said bill to the House, and the same was received and read for the first time.

A petition of the Reverend *William King*, and others, settlers of the townships of *Bury* and *Lynwick*, was presented to the House by Mr. *Cartwright*, and the same was received and read, setting forth the injury likely to accrue to society in general from the want of adequate schools for the rising generation—The utter impossibility of providing them by private contributions:

Petition of William King and others.

The impropriety of introducing into schools for the education of youth, extracts, only, from the word of God, and praying that the received translation of the bible be recognized as the class book to be universally taught in all public schools and seminaries throughout the province, where protestant children shall receive their education, in its unabridged state.

Ordered—That the said petition do lie upon the table.

A petition of *G. Frederick Verhoeff*, *Lewis Davenport*, *Thomas M. Taylor* and *J. Babcock*, was presented to the House by Mr. *Prince*, and the same was received and read, setting forth: that petitioners have lived, for a great many years past, in that part of this province, formerly called *Upper Canada*, and have expended large sums of money in making improvements therein—That petitioners are desirous of spending the remainder of their lives in *Canada*, and of becoming subjects of Her Majesty the Queen of *Great Britain*, and humbly praying that a law may be passed to enable them to hold and dispose of real estate in this province and to entitle them to the rights and privileges of British subjects.

Petition of Verhoeff and others, praying to be naturalized.

Ordered—That the said petition do lie upon the table.

A petition of divers freeholders and inhabitants, residing on the river *Ristigouche*, in the county of *Bonaventure*, was presented to the House by Mr. *Christie*, and the same was received and read setting forth:

Petition of inhabitants of Ristigouche on election.

That by law heretofore the elections of the representatives of this county were appointed to be held at *New Carlisle* and *Carleton*.

That at the late election, however, the law was dispensed with, and the election held at *Carlisle* only; the effect of which has been to disfranchise the great majority of electors in the county, who, owing to the distance of their residence, 50 to 120 miles from the Poll, were unable to attend thereat, and to express their sense in the choice of a representative for the county, which has therefore been taken by surprise and defrauded of its franchise, by act of the Executive government.

Petitioners pray this House to cause enquiry to be made into the matter whereof they complain and to adopt measures to prevent a recurrence of the injustice and electoral fraud above mentioned.

Petitioners further submit that it would be conducive to order, morality, and good government, if the Returning Officer for the county were, at future elections, authorised to open a Poll at each of the principal places in the county (a day or two at each place) that is to say, at the mission on the *Ristigouche*, at *Carleton*, at *Richmond*, at *Bonaventure*, at *Carlisle* and at *Port Daniel*, inverting the order at each successive election.

A petition of divers Inhabitants of *Shoolbred*, on the *Ristigouche* and other places, was presented to the House by Mr. *Christie* and the same was received and read setting forth—

Petition from Shoolbred on election.

Petition from Shoolbred on election.

That Petitioners have by the holding of the last election only at *New Carlisle* been prevented from fully expressing their sense in the choice of a representative of this county, and been thereby virtually disfranchised; the distance between the place of their residence and *New Carlisle* being upwards of sixty miles.

That by law the places of holding the elections for the county of *Bonaventure* invariably were *New Carlisle* and *Carleton*, (the latter place being but eight to twelve miles distant from *Shoolbred*) and believing that the same reasons, viz. the facility of the inhabitants, which induced the Legislature of *Lower Canada* to fix these polls at the settlements, would also incline the Executive to cause the same to be holden thereat, relied thereupon, and were taken by surprise on learning that the election was to be held at *New Carlisle* only, and thereby defeated of their rights.

Petitioners believe the abuse to have been with the intention to defeat the majority of the county in expressing their sense at the late election, as in fact it has, and that the same is an electoral fraud of the most palpable and daring character.

Petitioners therefore pray that effectual measures be adopted to prevent a recurrence of the abuse and fraud whereof they complain, and also beg respectfully to suggest that it would materially contribute to the public good, if the polls at all public elections for the county were held at the different chief settlements thereof, beginning at the mission on the *Ristigouche* and ending at *Port Daniel*.

Ordered—That the said petition do lie upon the table.

Petition from Bonaventure complaining of the election of John Robinson Hamilton.

A Petition of divers Freeholders and Inhabitants of the county of *Bonaventure*, was presented to the House by Mr. Christie and the same was received and read, setting forth—

That the late election of a representative for this county, to serve in this House, has been characterised by unprecedented violence and corruption, and the return of *John Robinson Hamilton*, to a seat in the same, carried by illegal and undue means, by bribery in several instances, by threats in others, and by opening houses of public entertainment in the neighbourhood of the hustings, and in several other places, in which ardent and intoxicating liquors were gratuitously given by the said *John Robinson Hamilton*, or others for him, and in his interests, for voting, and for procuring votes towards securing his election.

That independent of the above the by far greater mass of the electors of the county have been deprived of the opportunity of voting, at the said election and virtually disfranchised; the place (*New Carlisle*) appointed for holding the said election being at one extremity and in the less populous part of the county, distant ten to thirty leagues from the denser and upper settlement of it.

That by law, the places of election heretofore for the said county were established at *New Carlisle* and at *Carleton*, settlements, forty-five miles a part; but that on the late occasion the law was dispensed with and the election appointed to be at *New Carlisle* only, by which means the majority of the county have not been consulted in the choice of a representative but precluded from voting at the said election as if they had no concern or interest in it.

That although it is notorious to the public that the most flagrant and open corruption had been employed to procure the return of the said *John Robinson Hamilton*, the distance of the county from the seat of the Legislature will render it difficult to prove such bribery, corruption and undue influence on the part of the said *John Robinson Hamilton*, or of his friends, unless this Honorable Body can afford them an opportunity of examining, within the county, those residing therein, cognizant of the facts.

Petitioners do not presume to point out the importance of an uncorrupt representation of the people in the assembly of the Province—That this House cannot but be duly sensible of this. But they complain that the late election has been carried by undue and corrupt influence—That the county of *Bonaventure* has not expressed itself, nor been permitted constitutionally to express itself. That *John Robinson Hamilton* is unduly returned as representative of the county, in contempt of the feelings and opinions of the majority of the electors excluded as aforesaid from their just right to participate in the said election, and by dint of bribery and corruption. And in conclusion they respectfully represent that they are ready to establish such to be the fact whensoever this Honorable House may be pleased to institute an inquiry and admit them to proof,

Petition from Bonaventure complaining of the election of John Robinson Hamilton.

Ordered—That the said Petition do lie upon the table.

The Honorable Mr. *Moffatt* moved, seconded by Mr *Merritt*, that a committee of *seven* members be now chosen, by ballot, to prepare and report, with all convenient speed, lists of members of this House, to compose standing committees.

Motion for appointing standing committees.

<i>First,</i>	of PRIVILEGES.
<i>Second,</i>	“ GRIEVANCES.
<i>Third,</i>	“ COURTS OF JUSTICE.
<i>Fourth,</i>	“ PUBLIC ACCOUNTS.
<i>Fifth,</i>	“ EDUCATION AND SCHOOLS.
<i>Sixth,</i>	“ TRADE.
<i>Seventh,</i>	“ AGRICULTURE.
<i>Eighth,</i>	“ ROADS AND PUBLIC IMPROVEMENTS.
<i>Ninth,</i>	on PUBLIC LANDS AND SEIGNORIAL RIGHTS.
<i>Tenth,</i>	of EXPIRING LAWS AND ENGROSSED BILLS.
<i>Eleventh,</i>	“ PRIVATE BILLS.
<i>Twelfth,</i>	for HOSPITALS AND CHARITABLE INSTITUTIONS
<i>Thirteenth,</i>	for THE CONTINGENT ACCOUNTS AND OTHER OBJECTS CONNECTED WITH THE INTERNAL DEPARTMENT OF THIS HOUSE.

Which Committees shall have power to report to the House, from time to time, their observations and opinions upon the subjects and matters which shall be referred to them by this House, by bill or otherwise, as belonging to that class of objects for which they are severally appointed, with power to send for persons, papers, and records—then

On motion of Mr. *Thorburn*, seconded by Mr. *Prince*,

Ordered—That *to-morrow*, at the hour of 11 o’ clock, A. M. this House do proceed to ballot for a committee to nominate the said standing committees.

Mr. *Henry Smith* moved, seconded by Mr. *Aylwin*, that a select committee of *five* members be appointed to take into consideration the return made by *George Wade Foote*, Esquire, to the writ of election for the county of *Kent*, and also his conduct in relation thereto, with power to send for persons, papers, and records, and to report thereon.

Motion for Committee to consider and report on Kent election.

The question having been put upon the said motion a division ensued and it passed in the negative.

The order of the day for the House in committee on the rules and regulations for the government of this House, reported by the special committee, being read,

The House accordingly resolved itself into the said committee.

Mr. *Durand* took the Chair of the committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Committee of whole on Rules.

Committee of whole
on Rules

And Mr. *Durand* reported that the committee had passed the said rules and regulations which he was directed to report to the House whenever it shall be pleased to receive the same,

Ordered—That the Report be received to-morrow.

Then on motion of Mr. *Simpson*, seconded by Mr. *Cartwright*,

The House adjourned until three o'clock P. M. this day.

Veneris 18^o die Junii.

3 o'Clock P. M.

The order of the day for the House in committee on the speech of his Excellency the Governor General to both Houses of the Provincial Legislature being read,

Committee of whole
on His Excellency's
Speech at opening of
Session

The House accordingly resolved itself into the said committee.

Mr. *Morris* took the chair of the committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Morris* reported that the committee had made some progress, and had directed him to move for leave to sit again.

Progress reported.

Ordered—That the said committee have leave to sit again to-morrow, in the afternoon sitting.

Committee to sit again
tomorrow

Mr. Speaker communicated to the House the following letter.

Kingston, 18th June, 1841.

SIR,

Letter from A. Manahan, Esq vacating his seat.

Having accepted the appointment to the office of Collector of Customs for the port of *Toronto*, by which I vacate my seat in the Legislative Assembly over which you preside—I take leave to give you this immediate intimation of the fact, that the town of *Kingston*, which I had the honor to represent, may be speedily represented in my place.

I have the honor to be Sir, your most obedient humble servant,

Signed, A. MANAHAN.

The Honorable the Speaker, }
of the Legislative Assembly. }

New Writ of election
to issue for Kingston.

On motion of the Honorable Mr. *Daly*, seconded by the Honorable Mr. *Dunn*,

Ordered—That Mr. Speaker do issue his warrant to the Clerk of the Crown in Chancery, to make out a new writ for the electing a member to serve in the present Provincial Parliament for the Town of *Kingston*, in the room of *Anthony Manahan*, Esquire, resigned.

Bill to provide for Notaries in Gaspé, read

A Bill to amend a certain Ordinance passed in the third year of Her Majesty's Reign, intituled "An ordinance to provide permanently for the want of Notaries in the inferior district of *Gaspé*, and to remove doubts therein mentioned" was according to order, read a second time,

Bill referred to Committee

Resolved—That the said Bill be referred to a Committee of five members, to report thereon with all convenient speed; with power to send for persons, papers, and records.

Ordered—That Mr. *Hanilton*, Mr. *Black*, Mr. *Christie*, Mr. *Morin*, and the Honorable Mr. *Viger*, do compose the said committee.

Then on motion of Mr. *Aylwin* seconded by Mr. *Taschereau*,

House adjourns.

The House, adjourned, until to-morrow, at eleven o'clock A. M.

Sabbat̄i, 19^o die Junii.

Anno 4^o Victoriae Reginae, 1841.

11 o'Clock, A.M.

Mr. Speaker acquainted the House that *Charles Willard* and *John R. Forsyth* had entered into the usual recognizance required by law, on the subject matter of the contested election for the county of *Hastings*.

Recognizance entered into for *Hastings* contested election.

Mr. Speaker also acquainted the House that *James Simpson* and *Joseph Bruce*, had entered into the usual recognizance required by law on the subject matter of the contested election for the county of *Huron*.

And for *Huron* contested election.

A Petition of divers inhabitants of *Elizabethtown* was presented to the House by Mr. *Morris*, and the same was received and read setting forth: that the allowance for road between lots No. *thirty* and *thirty-one*, in the *eighth* concession of *Elizabethtown* passes through a large swamp and over a high ledge of rocks, and has been legally adjudged unfit for the purposes of a road. That certain individuals are endeavouring to open the said allowance and to expend upon it part of the statute labour, to the great annoyance of petitioners and inconvenience of travellers, as all the statute labour is too little to render passable the commonly travelled roads—that it would be to the advantage of the community if the said road were sold and the avails expended on the travelled roads—and praying the House to confirm the condemnation of said road—or do such things in the premises as may, in its wisdom, appear best,

Petition for the condemnation of a certain road in *Elizabethtown*.

Ordered—That the said petition do lie upon the table.

A Petition of the freeholders of the townships of *Rawdon*, *Kilkenny*, and *Kildare*, was presented to the House by Mr. *Holmes*, and the same was received and read, setting forth—That the county of *Leinster* formerly sent four members to parliament, but under the late act uniting the Provinces of *Upper* and *Lower Canada*, said county is restricted to one representative—That in consequence, petitioners, who are far less numerous than the inhabitants of the Seignories lying within the said county, who are of French origin, are deprived of the power of choosing their representative—and praying that the said townships of *Rawdon*, *Kilkenny*, and *Kildare*, together with the unsurveyed townships in the rear of them, may be allowed to send a representative to parliament, and that they may not be erected into municipal districts with the inhabitants of the Seignories,

Petition that inhabitants of *Rawdon*, *Kilkenny*, and *Kildare*, may have greater liberty in the elective franchise, and may not be included in certain municipal districts.

Ordered—That the said petition do lie upon the table.

A petition of *Emery Osgood Tyler* was presented to the House by Mr. *Roblin*, and the same was received and read, setting forth—That petitioner is a native of the United States—That he emigrated into this Province prior to the Rebellion and took the oath of allegiance in 1836—That he has purchased land in the Province, and prays to be enabled to enjoy the rights and privileges of a British subject.

Petition of *E. O. Tyler* for naturalization.

Ordered—That the said petition do lie upon the table.

A Petition of *Donald Calder* and divers others, of the Township of *Thorah*, in the county of *Simcoe*, was presented to the House by Captain *Steele*, and the same was received and read, setting forth:—That in 1839 a

Petition of *Donald Calder*, that a certain road may be granted to him as compensa-

tion for a road through
his land

certain road was laid out, leading from *Talbot* river to what is commonly termed the *Brock* road, near to mills belonging to said *Calder*, in the township of *Thorah*. That said *Calder*, was persuaded by the Surveyor of Roads, *Arad Smalley*, Esquire, to allow said road to pass through his land, as a cheaper and more eligible site for a bridge could be found above the mills than on the concession line—informing him that he would be entitled to the allowance for road, thus departed from. That petitioner, living at a distance of about seventy miles, did not apply for the same until after the expiration of six months, when he was told that he had been too late in making his application; and praying that an act may be passed authorising the conveying to him said parcel of road in lieu of that given by him as aforesaid,

Ordered—That the said Petition do lie upon the table.

Order of the day for
balloting of committee
to nominate standing
committees postponed.

The order of the day for the House to proceed to the ballot of members for a committee to nominate the standing committees of this House being read—

Mr. Attorney General *Ogden* moved, seconded by Mr. Attorney General *Draper*, that the said order of the day be postponed until *Wednesday* the twenty-third instant.

The question having been put upon the said motion, a division ensued and it was carried in the affirmative and *Ordered* accordingly.

Rules and Regulations
reported

Mr. *Durand* from the committee of the whole House on the rules and regulations for the Government of this House reported, according to order, the said rules and regulations; which rules and regulations were again read at the Clerk's table and are as followeth :

RULES AND REGULATIONS

For the Government of the Legislative Assembly.

MEETING AND ADJOURNMENTS OF THE HOUSE.

1st. *Resolved*—That this House do meet at two o'clock in the afternoon: and if at two o'clock there is not a QUORUM, Mr. Speaker may take the Chair and adjourn.

2d. That when the House adjourns, the Members shall keep their seats until the Speaker leave the chair.

3rd. That whenever the Speaker is obliged to adjourn the House for want of a QUORUM, the hour at which such adjournment is made, and the names of the Members then present, shall be inserted in the Journals.

QUORUM.

4th. That upon the appearance of a QUORUM the Speaker shall take the Chair and the members be called to order.

5th. That the Speaker shall always take the Chair when Black Rod is at the door, whatever the number of Members then present may be.

MINUTES.

6. That immediately after the Speaker shall have taken the Chair, the Minutes of the preceding day shall be read by the Clerk; to the end that any mistake therein may be corrected by the House.

SPEAKER.

7. That the Speaker shall preserve Order and Decorum, and shall decide Questions of Order, subject to an appeal to the House.

8. That the Speaker shall not take part in any debate or vote in any

case, unless the House shall be equally divided.—He may give his reasons for so voting. He shall stand uncovered when addressing the House.

Rules and regulations
of the House.

9. That when the Speaker is called upon to explain a point of order or practice, he is to state the rule applicable to the case without argument or comment.

MEMBERS.

10. That every Member, previous to his speaking, shall rise from his seat, uncovered, and address himself to the Speaker.

11. That when two or more Members rise at once, the Speaker shall name the Member who is first to speak; and the other or others may appeal to the House if dissatisfied with the Speaker's decision, by the Question, "*Which Member was first up?*"

12. That every Member who shall be present when a question is put, shall vote thereon, unless the House shall excuse him, or unless he shall be personally interested in the question; provided such interest be resolvable into a personal pecuniary profit, or such as is peculiar to the Member and not in common with the interest of the subject at large, in which case he shall not vote.

13. That when the Speaker is putting a question, no Member shall walk out of, or across the House; nor when a Member is speaking shall any Member hold discourse to interrupt him, except to order, nor pass between him and the Chair.

14. That a Member called to order shall sit down unless permitted to explain; and the House, if appealed to, shall decide on the case, but without debate; if there be no appeal, the decision of the Chair shall be submitted to.

15. That no Member shall speak disrespectfully of the Queen or any of the Royal Family, or Person administering the Government of this Province; nor shall he use unmannerly or indecent language against the proceedings of this House, or against particular Members; nor shall he speak beside the question in debate.

16. That each Member may, of right, require the question or motion in discussion to be read for his information at any time of the debate, but not so as to interrupt a Member speaking.

17. That no Member shall speak more than once on the same question, without leave of the House, except in explanation of a material part of his speech, which may have been misconceived; but then he is not to introduce new matter.

18. That no Member shall speak more than once, without leave of the House, upon a previous Question.

19. That any Member may, at any time, desire the House to be cleared of strangers; and the Speaker shall immediately give directions to the Sergeant at Arms to execute the order, without debate.

20. That it be recommended to every Member wishing to go out during the sittings to inform the Sergeant at Arms of the place where he may be found, if wanted.

21. That no Member, during the Session, shall absent himself for more than one sitting at a time, without an express leave of absence from the House.

22. That this House will not grant leave of absence to any Member, (unless that there are forty-three Members present in town,) but on the most urgent and accidental business, specially stated to this House.

LEGISLATIVE COUNCIL.

23. That the master in Chancery attending the Legislative Council be received as their Messenger at the Clerk's Table, the Members sitting, where he shall deliver such message as he is charged with from the Legislative Council.

24. That all Messages, from this House to the Honorable the Legislative Council be sent by one Member of this House.

25. That when this House shall judge it necessary to request a conference with the Legislative Council, the reasons to be given by this House upon the subject of the conference, shall be prepared and agreed to by the House, before a Messenger shall be appointed to make the said request.

26. That Messages, from the Honorable the Legislative Council, shall be received into this House as soon as announced by the Sergeant at Arms.

27. That Legislative Councillors, desirous of hearing the debates, may have seats without the Bar, in a space to be set apart for that purpose; withdrawing when the House is cleared.

STRANGERS

28. That Strangers admitted into the House during its sittings, who make a noise or behave irregularly, shall be committed to the custody of the Sergeant at Arms, to await the judgment of the House.

JOURNALS, &c.

29. That copies of the Journals, translated into the French Language, be laid on the table daily, for the use of the Members; and also copies of Speeches from the Throne, Addresses, Messages, and Entries of other transactions and deliberations of the House, when asked for by any two Members.

30. That a copy of the Journals of this House be delivered to His Excellency the Governor, every morning of the day after the same has been read and approved of by the House, certified by the Clerk.

31. That the Clerk do immediately make an Index to the Journals of the House, referring to the several matters therein contained, and that at the end of each Session of Parliament, he do make a like Index to the Journals.

32. That until this House shall adopt the measure of having its proceedings printed daily, this House doth consent that the Legislative Council may cause the Journals of this House to be searched in like manner as this House may, according to Parliamentary usage, search the Journals of the Legislative Council.

RULES OF THE HOUSE.

33. That the Rules of the House shall be observed in a Committee of the whole House, so far as they may be applicable, except the Rule limiting the number of times of speaking.

34. That, in all unprovided cases, resort shall be had to the Rules, Usages and Forms of Parliament, which shall be followed, until this House shall think fit to make a Rule applicable to such unprovided cases.

DIVISION OF THE HOUSE.

35. That upon a division in the House, the names of those who vote for, and of those who vote against the question, shall be entered upon the Minutes, if two Members require it.

MOTIONS AND QUESTIONS.

Rules and Regulations
of House.

36. That a motion to adjourn shall always be in order.

37. That a motion that the Chairman leave the Chair, shall always be in order, and shall take place of any other motion.

38. That no motion shall be debated or put, unless the same be in writing and seconded. When a motion is seconded, it shall be read in English and in French by the Speaker, if he is master of the two languages; if not, the Speaker shall read in either of the the two languages most familiar to him; and the reading in the other language shall be at the table by the Clerk or his Deputy, before debate.

39. That after a motion is read by the Speaker, it shall be deemed to be in possession of the House; but may be withdrawn at any time before decision or amendment, with permission of the House.

40. That when a question is under debate, no motion shall be received unless to amend it, or commit it, or to postpone it to a certain day, or for the previous question, or for adjournment.

41. That the Previous Question, until it is decided, shall preclude all amendment and debate of the main question; and shall be in the following words: "*Shall the main Question be now put?*"

42. That a motion for commitment, until it is decided, shall preclude all amendment of the main question.

43. That all Questions, whether in Committee or in the House, shall be put in the order they are moved.

44. That no motion prefaced by any preamble, shall be admitted in this House.

45. That every motion when seconded, ought to be received and read by the Speaker, except in the cases provided for by the Rules of this House.

46. That it shall be the duty of the Speaker, whenever he shall conceive that a motion which he has received and read, may be contrary to the Rules or Privileges of this House, to apprize the House thereof immediately, before the question on such motion is put, and to cite the Rule which is applicable to the case.

AID AND SUPPLY.

47. That if any motion be made in the House for any Public Aid, Subsidy Duty, or Charge upon the people, the consideration and debate thereof shall not presently be entered upon, but adjourned till such further day as the House shall think fit to appoint; and then it shall be referred to a Committee of the whole House, and their opinion to be reported before any Resolution or Vote of the House do pass thereupon.

48. That all Aids and Supplies granted to Her Majesty by the Legislature of Canada, are the sole gift of the Assembly of this Province, and all Bills for granting such Aids and Supplies ought to begin with the Assembly, as it is the undoubted right of the Assembly to direct, limit, and appoint, in all such Bills, the ends, purposes, considerations, conditions, limitations and qualifications of such Grants, which are not alterable by the Legislative Council.

49. That in order to expedite the business of the Legislature, the House should not insist on the privilege claimed and exercised by them, of laying aside Bills sent from the Legislative Council, because they impose pecuniary penalties; nor of laying aside amendments made by the Legislative Council, because they introduce into or alter pe-

Rules and regulations
of the House.

cuniary penalties in Bills sent to them by this House ; provided that all such penalties thereby imposed, are only to punish or prevent crimes and offences, and do not tend to lay a burthen on the subject, either as Aid and Supply to Her Majesty, or for any general or special purposes, by Rates, Tolls, Assessments or otherwise.

PUBLIC BILLS.

50. That every Public Bill shall be introduced by a motion for leave, specifying the title of the Bill, or by a motion to appoint a Committee to prepare and bring it in, or by an Order of the House on the Report of a Committee.

51. That no Bill shall be committed or amended until it shall have been twice read.

52. That all amendments shall be reported to the House by the Chairman, standing in his place. After report, the Bill shall be subjected to debate and amendment in the House, before the question to engross it, shall be put.

53. That every Bill shall receive three several readings, each on different days, previous to its being passed, except in urgent and extraordinary occasions, when it may be read twice or thrice in one day.

54. That when a Bill is read in the House, the Clerk shall certify the readings and the time on the back.

55. That Bills committed to a Committee of the whole House, shall first be read throughout by the Clerk, and then read by the Chairman and debated by clauses, leaving the Preamble and Title to be last considered.

56. That when a Bill passes the House, the Clerk shall certify the same, with the date thereof, at the foot of the Bill.

57. That a similar mode of proceeding shall be observed with Bills which have originated in and passed the Legislative Council, as with Bills originating in this House.

58. That it shall be the duty of the Law-Clerk of this House, after the present Session, to revise all Public Bills after the first reading, and that after such revision, he do mark his initials and certify on the endorsement of the said Bills, in red ink, that the same are correct ; and that the said Law-Clerk be held responsible for the due performance of such duty, in obedience to this Resolution ; and in order that he may be regularly apprized of the Bills that shall have been read for the first time, it shall be the duty of the senior Clerk of the Committees of this House, to provide him daily during the Session, with a List of the Bills that shall have been read for the first time, and of the day on which they shall be fixed for the second reading ; and that in every succeeding stage of such Bills, the said Law-Clerk shall be also held responsible for the correctness of the said Bills, should amendments be made thereto, and he shall make a Breviat of every such Bill previous to the second reading thereof.

59. That all Bills, Public and Private, and Breviats and Abridgements thereof, be printed before the second reading, for the use of the Members of the Legislature, unless the House in certain cases dispense with such printing, with the exception nevertheless of certain Bills to continue the Acts or Bills of Reimbursements or other short Bills, not introducing any important innovation, with the printing whereof the Speaker may dispense.

PRIVATE BILLS.

60. That Bills of a private nature shall be introduced by a Petition to be presented by a Member and seconded.

61. That no Bill be ordered or permitted to be brought in, or any Petition for any work proposed to be carried on by tolls or duties to be levied, by subjecting of particular places to the same, until such Petition has been referred to a Committee, and they have examined the matter thereof and reported the same to the House.

Rules and Regulations
of House.

62. That whenever any Petition or Bill presented to the House, shall have been referred to a Committee to examine the matter thereof and report the same as it shall appear to them to the House, the House will not admit any Petitioners to be heard by themselves or Counsel, against such Petition or Bill, until the matter thereof shall have been first reported to the House.

63. That the Chairman of the Committee for any private Bill do not sit thereupon, without giving a week's notice thereof, set up in the lobby.

64. That all persons whose interest or property may be affected by any private Bill, shall appear in person before the Committee to give their consent, and if they cannot personally appear, they may send their consent in writing, which shall be proved before the Committee by one or more witnesses.

65. That when any Bill shall be brought into the House for confirming Letters Patent, there shall be a true copy of such Letters Patent annexed to the Bill.

66. That before any Petition is presented to this House, for leave to bring in a private Bill, whether for the erection of a Bridge or Bridges, for the regulation of a Common, for the making of any Turnpike Road, or for granting to any individual or individuals any exclusive rights or privileges whatsoever, or for the alteration or renewing of any Act of the Provincial Parliament, for the like purpose; notice of such application shall be given in one of the newspapers of the District, published in the English, and one in the French language, if any is published therein; and also by a notice affixed on the Church-doors of the Parishes or Townships that such application may effect, or in the most public place where there is no Church, during two months at least before such Petition is presented.

67. That hereafter this House will not receive any Petitions for private Bills, after the first fifteen days of each session.

68. That this House will not receive any private Bills except in the first twenty-four days of each session.

69. That this House will not receive any Report of a Special Committee upon any such Private Bills, except within the first forty days of each Session.

70. That before any Petition praying leave to bring in a private Bill for the erection of a Toll Bridge, is presented to this House, the person or persons purposing to Petition for such Bill, shall, upon giving the notice prescribed by the sixty-sixth Rule, also, at same time, and in the same manner, give a Notice, stating the rates which they intend to ask, the extent of the privilege, the height of the Arches, the interval between the abutments or piers for the passage of rafts and vessels, and mentioning whether they purpose to erect a Draw-Bridge or not, and the dimensions of such Draw-Bridge.

71. That all the expenses and costs attending on private Bills, giving any exclusive privilege or advantage, and the relative proceedings in this House thereon, ought not to fall upon the Public, and that it is just and reasonable that part of such expenses and costs should be supported by those who apply for the said Bills; and that a sum not less than £20 be deposited in the hands of the Clerk of this House by the Petitioners before the Petition be received.

Rules and Regulations of House.

72. That the Clerk of this House be held, immediately after the issuing of the Proclamation, convoking the Provincial Parliament for the dispatch of business, to announce in the Quebec Gazette and other Newspapers published in this Province, until the opening of Parliament, the day on which the time limited for receiving Petitions for Private Bills will expire according to the Rules of this House, and that the said Clerk be also held to announce, by notice set up in the Special Committee Rooms, and in the Lobby of this House, by the first day of every Session, the days on which, according to the Rules of this House, the time for receiving Petitions for private Bills, Reports on those Petitions, and Reports on the Bills upon those Petitions, are to expire.

PETITIONS, &c.

73. That the Petitions, Memorials and other papers addressed to the House, shall be presented by a Member in his place, who shall be answerable to this House that they do not contain improper or impertinent matter.

74. That whenever a Petition tending to incorporate any number of persons to carry on any commerce or trade, is presented to this House, such of the Members of this House who are to become incorporated in consequence of such Petition to carry on such commerce or trade, are personally interested in all questions that may arise upon such Petition, and in any after proceedings that may take place upon it.

See also BILLS PRIVATE, Rule 63, 66, 67, 68, 69.

PAPERS LAID BEFORE THE HOUSE.

Form of Reading.

75. That papers laid before this House, or referred to a Committee for their consideration, are of right to be read once by the Clerk or Chairman at the table, but when once read to the House or Committee, they are then, like every other Paper that belongs to the House, to be moved for to be read, and if objected to, to be decided by taking the sense of the House or Committee,

COMMITTEES.

76. That in forming a Committee of the whole House, the Speaker shall leave the Chair, and shall before leaving the same appoint a Chairman to preside, who shall have the same authority in the Chair of the Committee as the Speaker in the Chair of the House, and in other Committees the Chairman shall have the same authority.

77. That the mode of appointing a Special Committee, shall be first to determine the number it shall consist of, then each Member naming one, which shall be written down by the Clerk; those who have most voices shall be taken successively, until that the number is completed; and if any difficulty should arise by two or more having an equal number of voices, the sense of the House shall be taken as to the preference; but it shall be always understood, that no Member who declares himself or divides against the body or substance of the Bill, motion or matter to be committed, upon any of the Readings thereof, can be nominated to be of a Committee upon such Bill, motion or matter.

78. That every Member who shall introduce a Bill, Petition, or Motion upon any object which may be referred to a Committee, shall be one of the Committee without being named by the House.

79. That of the number of Members appointed to compose a Committee, such number thereof as shall be equal to a majority of the whole number chosen, shall be a *Quorum* competent to proceed to business in

all cases, where the number to form such *Quorum* shall not be specially fixed in the motion of appointment.

Rules and Regulations
of House.

MESENTERS.

80. That the Speaker of this House shall appoint all Messengers; but it shall be always understood, that the Member who moves for the Message shall of right be one of the number of Messengers, and that any Member who shall declare himself, or divides against the said Message, or against the subject thereof, cannot be appointed to be one of the Messengers.

ORDERS OF THE DAY.

81. That the Order of the Day shall have preference to any motion before the House.

82. That it be a standing Rule of this House, that when any order or Orders of the Day shall be lost by a Committee of the whole House breaking up for want of a *Quorum*, or by the House adjourning for want of a *Quorum*, the Order or Orders so lost, shall be taken up in succession, as the first business to be proceeded on, at the next meeting of the House.

PRIVILEGES.

83. That whenever any matter of privilege arises, it shall be immediately taken into consideration.

LIBRARY.

84. That a Catalogue of the titles, editions, classes, cost and charges of the Books, be kept by the Clerk of the House, in whom the custody and responsibility thereof shall be vested.

85. That the Library be deposited in the Committee Room, or Clerk's Office, or such other part of this House as may hereafter appear to Mr. Speaker to be most convenient.

86. That no person whatsoever shall be entitled to resort to the Books except the Governor, Lieutenant Governor, or Person administering the Government, the Members of the Executive and Legislative Councils and House of Assembly, and the Officers of the two Houses for the time being; that access may be had to the books at all hours during the sitting of the Legislature, and on every Tuesday of each week, from the hour of ten in the morning to three in the afternoon, during the prorogations; but on no pretence whatever ought any person, the Governor, Lieutenant Governor, or Person administering the Government excepted, to be permitted to carry any of them out of the building.

87. That the Clerk shall report regularly to the House, through Mr. Speaker, at the opening of each Session, the actual state of the Library.

88. That the Clerk of this House be authorized to import annually the continuation of the Periodical Works in the Library of this House.

OFFICE HOURS.

89. That the hours of attendance of the respective Officers of this House and the Extra Clerks employed during the Session, be from nine in the forenoon until noon, and from one in the afternoon until eight o'clock, and from thence until the business of the day be completed.

VACANCIES IN THE OFFICES.

90. That before filling any vacancy in the Offices of this House, enquiry be made touching the necessity of such Office, the amount of the salary and emoluments thereunto annexed, and the fixing such salary *de novo* at every change.

IMPORTS AND EXPORTS.

91. That the Clerk of this House do lay before this House in the course of each Session, a general table of the Imports and Exports of this Province, taken from the Returns which may be laid before this House by order of His Excellency the Governor in Chief; that the said Clerk do also lay before this House next Session a similar table for the seven last years, and that he do cause the said table to be printed, in order that the same be added to the Appendix to the Journals of next year, and that in each succeeding year he do cause to be printed a similar table, to be in like manner inserted in the Appendix to the Journals of those periods.

Question of concurrence

Ordered—That the question of Concurrence, be now separately put upon each of the said Rules and Regulations :—

And the first to the seventieth inclusive of the said Rules and Regulations being again severally read, and the question of concurrence being separately put upon each, they were agreed to unanimously.

Motion for expunging 71st Rule

The seventy-first of the said Rules and Regulations, being again read, Mr. *Merritt* moved, seconded by Mr. *Thompson*, that the said Rule be expunged, in as much as it imposes an unnecessary restriction, and may deter individuals from applying for an incorporation for the improvement of the Country, by Canals, RailRoads, &c. and with-hold the introduction and concentration of capital for other public uses.

The question having been put upon the said motion, the House divided thereon, and the names being called for, they were taken down, as followeth ;—

YEAS

<i>Armstrong,</i>	<i>Cook,</i>	<i>Holmes,</i>	<i>Smith, (Fron.)</i>
<i>Boswell,</i>	<i>Crane,</i>	<i>McLean,</i>	<i>Smith, (Went.)</i>
<i>Boutillier,</i>	<i>Duggan,</i>	<i>Merritt,</i>	<i>Steele,</i>
<i>Buchanan,</i>	<i>Durand,</i>	<i>Morris,</i>	<i>Thompson,</i>
<i>Campbell,</i>	<i>Hale,</i>	<i>Powell,</i>	<i>Thorburn,</i>
<i>Chesley,</i>	<i>Hincks,</i>	<i>Roblin,</i>	<i>Williams,—24.</i>

NOES

<i>Aylwin,</i>	<i>Desrivieres,</i>	<i>Moffatt, Hon. G.</i>	<i>Raymond,</i>
<i>Barthe,</i>	<i>Dunn, Hon. J. H.</i>	<i>Moore,</i>	<i>Small,</i>
<i>Barthelot,</i>	<i>Dunscomb,</i>	<i>Morin,</i>	<i>Sherwood.</i>
<i>Black,</i>	<i>Foster,</i>	<i>Neilson,</i>	<i>Strachan,</i>
<i>Cartwright,</i>	<i>Johnston,</i>	<i>Noel,</i>	<i>Turcotte,</i>
<i>Christie,</i>	<i>Kimber,</i>	<i>Parent,</i>	<i>Watts,</i>
<i>Day, Hon. C. D.</i>	<i>McCulloch,</i>	<i>Price,</i>	<i>Woods</i>
<i>Delisle,</i>	<i>McDonald (Pres.)</i>	<i>Quesnel,</i>	<i>Yule—34.</i>
<i>De Salaberry,</i>	<i>McDonald, (Glen.)</i>		

So it passed in the negative.

71st. Rule adopted.

The question being then put on the said seventy first Rule, it was agreed to by the House.

The residue of the said Rules and Regulations being again severally read and the question of concurrence being separately put upon each, they were agreed to unanimously, and—

Rules and regulations concurred in, and to be communicated to Leg. Coun.

Resolved—That this House doth concur with the Committee in the said Rules and Regulations.

On motion of Mr. *Neilson*, seconded by Mr. *Taschereau*,

Resolved—That a Copy of the said Rules and Regulations be communicated by Message to the Legislative Council.

Ordered—That Mr. *Neilson* do carry the said Message to the Legislative Council.

Ordered—That *three hundred* copies in English, and *two hundred* copies in French, of the said Rules and Regulations, be printed for the use of the Members of this House.

Rules to be printed.

The Order of the day, for the second reading of the Bill for better securing the independence and uprightness of the Judges, being read,

Order of day on Judges independence bill, postponed.

Ordered—That the said Order of the day be postponed until Monday next.

Ordered—That the Bill to amend an Act of that part of the Province formerly called *Upper Canada*, intituled “An Act to provide for the making and keeping in repair the *West Gwillimbury* Road and Bridge, and to authorize the erection of a Toll Gate thereon,” be read a second time on Friday next.

Gwillimbury Road and Bridge Bill to be read second time on Friday.

A Petition of *Jacques Alexander Tailhades*, Gentleman, was presented to the House by the Honorable Mr. *Moffatt*, and the same was received and read; setting forth:—That Petitioner, a gentleman, and an advocate of *France*, has domiciled in this Province, and resided in the City of *Montreal* for several years—That he has followed a course of clerkship nearly four years—and solicits that in consideration of his having followed a regular course of study in *France*, and having been already received as an advocate by the University, he may be permitted to present himself for examination at the expiration of the fourth year of his clerkship, as those who have passed a regular course of study.

Petition of J. A. Tailhades praying to be admitted as an advocate.

Ordered—That the said Petition do lie upon the table.

Ordered—That when this House doth adjourn, it will adjourn until three o'clock P. M. this day.

Then, on motion of Mr. *Neilson*, seconded by Mr. *Cameron*, The House adjourned.

Sabbati, 19^o die Junii.

3 o'Clock, P. M.

The order of the day for the House in Committee on the Speech of His Excellency, the Governor General, to both Houses of the Provincial Legislature being read,

The House accordingly resolved itself into the said Committee.

Mr. *Morris* took the chair of the Committee, and after some time spent therein,

Committee of whole on speech of His Exy. the Gov. General, at opening of Session.

Mr. Speaker resumed the Chair,

And Mr. *Morris* reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Progress.

Ordered—That the said Committee have leave to sit again on *Monday* next.

Then, on motion of Mr. *Aylwin*, seconded by Mr. Attorney General *Ogden*,

The House adjourned until *Monday* next.

Lunæ 21^o die Junii.

Anno 4^o Victoriae Reginae, 1841.

Clerk Assistant to be appointed

On motion of Mr. *Simpson*, seconded by Captain *Steele*,
Ordered—That the Clerk of this House do appoint an Assistant Clerk.

A petition of divers Lumbermerchants &c. praying for a law appointing cullers and measurers

A Petition of divers Lumber Merchants and others, was presented to the House by Mr. *Cameron*, and the same was received and read; setting forth:—That from 1000 to 1200 Vessels are annually loaded at the port of *Quebec* with timber—and that no law exists for the measuring or culling of the same—That the purchasers generally employ their own servants as Cullers and Measurers—persons in whom petitioners can have no confidence—to which proceeding petitioners must assent or contend with the wealthy merchant of *Quebec* at law, which would be ruinous to them; and praying that a law may be passed putting the trade on a just and equitable footing, into the hands of men unconnected with the buyer or seller.

Ordered—That the said Petition do lie upon the table.

Petition of John C Moulton praying to be naturalized.

A Petition of *John Clough Moulton*, of the Township of *York*, was presented to the House by Mr. *Price*, and the same was received and read; setting forth:—That Petitioner came from the *United States* in 1830, and has resided in this Province since that period.

That, between the years 1835 and 1840, Petitioner taught a common school in the *Home* District and participated in the public grant—from which latter period it was withheld in consequence of his not being a British subject.

That Petitioner is desirous of remaining in the province and of following the calling of a Schoolmaster, and therefore prays to be naturalized.

Ordered—That the said Petition do lie upon the table.

Petition divers Inhabitants of Home district referred to select Committee.

Resolved—That the Petition of divers Inhabitants of the *Home* District be referred to a special Committee of three members, to report thereon with all convenient speed, by Bill or otherwise, with power to send for persons, papers and records.

Ordered—That Mr. *Small*, Mr. *Cartwright* and Mr. *Boswell*, do compose the said committee.

Petition from the Montreal board of Trade praying for a partial repeal of the usury laws and the passing of an Act making it lawful to demand interest on bills and accounts from the period they become due

A Petition of the Board of Trade of *Montreal*, respecting usury, was presented to the House by the Honorable Mr. *Moffatt*, and the same was received and read; setting forth:—That there exists in *Canada* a law regulating the rate of interest which shall be taken for the forbearance of the payment of money, fixing the said rate at not more than six per cent, but allowing less to be taken, and also annexing heavy penalties in case of the infraction of the law; calling such infraction usury—That it appears to petitioners as fallacious to affix a value for the use of money, as it would be to affix a price for a barrel of flour or a yard of cloth—money being at one time worth more than at another—and a limit to the price causes, when scarce, a withdrawal from the market, and consequent ruin to many—That the law is every day evaded in every possible mode; persons so evading the law, who may be borrowers, not only having to pay

the extra rate of interest; but also towards recompensing the lender for the risk he runs—From this cause the most wealthy class of money lenders are often unwilling to lend on any terms—That the law first enacted at a period when such matters were but little understood, and when a superstitious feeling existed against any interest being received—and that such causes no longer existing there is no occasion for the law being continued.

That although it is just and right that a rate should be affixed where no specific agreement exists—and that the present rate is just—still, that parties ought to be allowed to make what agreement they please.

That in the United Kingdom the usury laws have been partially repealed, to the great benefit of trade, and that, owing to the great scarcity of money, and the facility of using it to profit in this province, the necessity for such repeal is much more obvious than in the said United Kingdom.

That a law existed in the late province of *Upper Canada* annexing interest to all accounts or bills from the day they became due, whether protested or not, but not in *Lower Canada*; and that it appears just that such law should exist and be general—and praying for a repeal of the usury law so far as respects the penalty in case of receiving more than six per cent, and making general the said law of the late province of *Upper Canada* allowing interest on all bills and accounts when they become due.

Ordered—That the said Petition do lie upon the table.

A Petition of the Board of Trade of *Montreal* respecting the Inspection of Pork, Beef, Flour, Ashes, &c., was presented to the House by the Honorable Mr. *Moffatt*, and the same was received and read; setting forth:—That there exist in *Canada* certain Laws and Ordinances, ordering that the following articles, viz: Flour and Meat, Pork and Beef and Pot and Pearl ashes, be inspected by legal Inspectors previous to exportation—and affixing a penalty for exporting the said articles without such inspection.

Petition from Board of Trade of Montreal praying for amendment of Inspection laws

That this law has been productive of great good to the Province while the putting up of these articles was imperfect, and when the export was too small for any one person's manufacture to obtain a character in the markets.

That, from the formation of large and highly respectable establishments in the manufacture and preparation of the articles before named, there is in many cases no necessity for such inspection—although ordinary parcels of goods will always require it—so that the office and its duties will have to be continued; but as applicable to the merchandize prepared by the large establishments before mentioned, whose brand is well known, its interference is not only needless but injurious in effect—in as much as it produces mediocrity, by not affixing a superior brand to an article however superior in quality—such goods, if sold only by the manufacturer's or packer's brand, would be estimated by the general quality, and in consequence, such manufacturers or packers would have a direct interest, not in making or packing an article just to pass inspection, but to give the greatest possible satisfaction.

That nothing but the necessity of inspection, together with the expense and time lost in inspecting, cooperating, loading and unloading, prevents very large quantities of produce being sent from one part of the adjacent states of *America* to another part thereof, through the Province of *Canada*, thereby giving employment to barges and labourers and adding greatly to the tolls of the various canals and other public works; and petitioners pray that sanction be given to a bill repealing the clauses in the se-

veral Acts or Ordinances providing for the inspection of Flour and Indian Meal, for the inspecting, packing and curing of Beef and Pork, and for the inspection of Pot and Pearl Ashes, which affix a penalty in case of a non-compliance with the provisions thereof, provided that in all cases, the manufacturer or packer annex to all articles put up by him, his name and address, quality and tare of package, as well as the weight, in such cases as are required by the present Acts or Ordinances, so to be marked by the inspector, leaving the rest of those Acts or Ordinances in full force.

Ordered—That the said Petition do lie upon the table.

Petition from board of Trade of Montreal on the subject of currency.

A petition of the Board of Trade of *Montreal* respecting the Currency was presented to the House, by the Honorable Mr. *Moffatt*, and the same was received and read; setting forth:—That owing to measures having been taken in the late Province of *Upper Canada*, affecting the currency, similar measures not being carried into effect in *Lower Canada*, there exists a difference in the currencies of the former two Provinces, extremely embarrassing to trade; and now that those Provinces are united, as bad in principle as anomalous in effect.

That the currency of the late Province of *Upper Canada*, has been very greatly depreciated, a mere token or bank note, in silver, as it has been called, namely the English shilling, and six pence, being substituted at rates far above their value for the dollar of the American continent.

That in the late Province of *Lower Canada*, certain coins called *écus*, or French half crowns, have been circulated at rates far above their value, but, their quantity being limited, the evil arising from them is so likewise.

That the pound currency is quite imaginary, and the calculation of its value in sterling money founded in error, inconvenient in practice, and giving the most incorrect ideas of its value to persons at a distance.

That it is highly essential that the whole of the British *North American* Provinces, should have one currency, and that currency, if possible, the same as that of the *United Kingdom*.

That one of the modes suggested formerly by the board of trade, namely, making the dollar and half dollar of the American continent, the only legal tender, has such objections, arising in part since the report was made, namely, the high value put upon gold, in the *United States*, and the often suspension of the Banks there, whence alone dollars and half dollars can be procured, that the board see insuperable difficulties to its adoption, were even the expense of calling in the over valued coins not too great to be afforded by the province.

That a Provincial coinage would not only be expensive but liable to be at one time too scarce and at another too plentiful, from the limited quantity wanted, and the fluctuations in supply and demand.

That the quantity of the gold coin called the sovereign, brought out by the Emigrants, is alone not only sufficient to form and keep up a good metallic circulation, but also to leave enough surplus for export.

That it is highly important that the Emigrant should find the currency the same in his adopted, as in his natal land, enabling him at once to understand its merits, and to use the coin he brings with him, as well as to explain to his friends the value of property, produce, wages, and expenses of living.

That the only difficulty would be the regulation of existing contracts and engagements, *first* on an equitable basis; *secondly*, not to lose too much when calling in the present overvalued coins, and, *thirdly*, to avoid intricate calculations.

That there seems only one mode, namely, to affix to the sovereign, which in case of the adoption of sterling would be the only legal tender, a value in the present currency, not so low as to lose by calling in the pre-

sent coins, nor so high as to be unfair in principle,—from these causes the value of the sovereign would be, at the lowest, twenty-four shillings, and six pence, currency—at the highest, twenty-five shillings; the advantage of the latter rate being that there would be no loss to the Province, and no fractional parts to calculate.

Wherefore petitioners pray that the House will give sanction to a bill altering the money of accounts of *Canada*, to sterling, the same as in the *United Kingdom*, making the British Gold Sovereign the only legal tender—British Silver to be change only to a limited amount, and affixing the value of such sovereign, in the adjusting of present accounts, at from twenty-four shillings and sixpence to twenty-five shillings, currency.

Ordered—That the said Petition do lie upon the table.

The order of the day for the second reading of Bill to regulate the fisheries in the District of *Gaspé*, being read.

Ordered—That the said order of the day, be postponed until to-morrow.

Second reading Gaspé fishery bill postponed.

The order of the day for the House in Committee on the Speech of His Excellency the Governor General, to both Houses of the Provincial Legislature, being read—

House in Committee of whole on His Ex. the Gov. Gen. speech at opening of Session.

The House accordingly resolved itself into the said Committee.

Mr. *Morris* took the chair of the Committee, and, after some time spent therein,

Mr. Speaker resumed the chair, and Mr. *Morris* reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Progress reported.

Ordered—That the said Committee have leave to sit again to-morrow.

The Order of the day for the second reading of the Bill for better securing the independence and uprightness of the judges, being read—

Ordered—That the said order of the day be postponed until to-morrow.

Second reading Judges Independency bill postponed.

Then on motion of Mr. *Aylwin*, seconded by Mr. *Hamilton*, The House adjourned until to-morrow at ten o'clock, A. M.

Martis 22^o die Junii ;

Anno 4^o *Victoriæ Reginae*, 1841.

10 o'clock A. M.

Mr. Speaker communicated to the House the following letter :—

Kingston, 22nd June, 1841.

Letter from Sergeant at Arms.

SIR,—

From the circumstances of my having received the appointment of Sergeant at Arms only a few days before the meeting of Parliament, I was obliged to leave my private affairs, in an unsettled state, and being anxious to return for a time, may I request the favor of your making application to the House of Assembly for permission to have the duties of Sergeant at Arms done by Deputy.

I have the honor to be,

Sir,

Your most obedient, humble servant,

(Signed)

GEO. K. CHISHOLM,
Sergeant at Arms.

To the Honorable the Speaker }
of the House of Assembly, }
&c., &c., &c. }

Petition of certain inhabitants of County of Leeds praying for amount of damages sustained from the Victoria macadamized road.

A Petition of divers Inhabitants of the county of Leeds, in the Johnstown District, was presented to the House by Mr. *Morris*, and the same was received and read ; setting forth :—That the Victoria Macadamized road, commencing near to the town of *Brockville*, passes through petitioners' lands—that most of the materials required to build the said road were taken off their premises, and, in many places, stones have been quarried and earth taken for the formation of said road, leaving the land perfectly useless for agricultural purposes—That many of their fields were thrown into commons, and some of their crops greatly injured—That they have been put to great expenses in enclosing their fields, so cut to pieces—That in one case 32 fruit trees were destroyed by the road passing through an orchard—That petitioners have received no compensation though the said damages was sustained in 1838 ; and praying for relief.

Ordered—That the said petition do lie upon the table.

Petition from divers inhabitants of Innisfil, praying for protection to agriculturists.

A Petition of divers Inhabitants of the Township of *Innisfil*, was presented to the House by Captain *Steele*, and the same was received and read ; setting forth :—That for want of laws for the protection of the agriculturist, the staple commodity of the province (wheat) has failed to bring a remunerating price in market ; and praying that the wisdom of the House may devise means for remedy thereof.

Ordered—That the said petition do lie upon the table.

Petition from people styled "Bible Christians," praying for authority to hold land.

A Petition of the people denominated "Bible Christians," was presented to the House by Mr. *Williams*, and the same was received and read ; setting forth :—That Petitioners experience difficulty in securing titles to lands requisite for sites of chapels and Burying-grounds, for want of a corporate capacity to hold lands in perpetual succession ; and praying to be relieved from such disability.

Ordered—That the said petition do lie upon the table.

Usury laws.

Resolved—That this House will, on Monday next, resolve itself into a Committee of the whole House to consider the propriety of amending the usury Laws of this Province.

British America Fire & Life Assurance Company to furnish statement of its affairs.

Resolved—That the *British America Fire and Life Assurance Company* be required to furnish the Legislature with a full statement of its affairs ; shewing the amount of Insurance charged upon the several kinds of property ; the amount insured at each rate of per centage ; the amount insured in each of the principal Cities and Towns in *Upper Canada*, and in each district, exclusive of those towns—also a statement of the transactions of the last year, shewing the amount of premiums charged and losses incurred, and also the contingent expenses of the company.

Petition of James W. Sharrard & Thomas Henry referred to select committee.

Resolved—That the Petition of *James W. Sharrard* and *Thomas Henry*, Christian Ministers, of the *Home* District, be referred to a select Committee, of five Members, to report thereon with all convenient speed, by Bill or otherwise, with power to send for persons, papers, and records.

Ordered—That Mr. *Small*, Mr. *Williams*, Mr. *Price*, Mr. *Hincks* and Mr. *Roblin*, do compose the said Committee.

Ordered—That the Petition of the people denominated "Bible Christians" be referred to the said Committee.

Bill to enable members to vacate their seats.

Ordered—That Mr. *Small* have leave to bring in a Bill to enable members of the Legislative Assembly, for places within that part of the Province formerly constituting the Province of *Upper Canada*, to vacate their seats, in certain cases, and for other purposes.

He accordingly presented the said Bill to the House, and the same was received and read, for the first time;

Ordered—That the said Bill be read a second time, on *monday* next.

A petition of *Israel Williams*, and others, of the Town of *Hamilton*, was presented to the House by Mr. *Harmanus Smith*, and the same was received and read; setting forth:—That petitioners have long resided in the Province, and are desirous of becoming subjects of Her Majesty; and praying that a law may be passed authorising them to become subjects, by taking the oath prescribed by law.

Petition of Israel Williams and others to be naturalized.

Ordered—That the said petition do lie upon the table.

A Petition of divers Inhabitants of the *Gore* District was presented to the House by Mr. *Harmanus Smith*, and the same was received and read; setting forth:—That by the Laws regulating macadamized roads, persons residing on either side, within half a mile of the road, liable to perform statute labour, are compelled to commute the same, at the rate of two shillings and six-pence per day—the money so obtained to be expended by the Commissioners in maintaining and keeping in repair said road.

Petition of divers inhabitants of Gore District praying for amendment in macadamized road Acts.

That no portion of the money so raised being allowed to be expended on the roads, leading to said macadamized roads, lying within the said half-mile, which would otherwise be repaired by statute labour, said roads are become quite impassible; and praying for such amendments in the Laws as will compel the said commissioners to keep in repair, out of such moneys as thus come into their hands, the said roads lying within half a mile of the macadamized road, and leading into the same.

Ordered—That the said petition do lie upon the table.

A Petition of divers Inhabitants of the Township of *Oakland*, was presented to the House by Mr. *Powell*, and the same was received and read; setting forth:—That the said township consists of a triangular piece of land, in front of the township of *Townsend*, and is annexed to the county of *Oxford*.

Petition of divers inhabitants of the township of Oakland, praying that said township may be attached to the District of Talbot.

That the said county of *Oxford* is erected into a separate district, and Petitioners have much further to travel in attending Courts of Justice than they would have to do were they annexed to the district of *Talbot*, formed from the county of *Norfolk*; to which last mentioned county the said township was formerly annexed—and praying that, as the Act of the Union of the two Provinces does not prohibit it, the said township of *Oakland* may be attached to and form part of the district of *Talbot*.

Ordered—That the said petition do lie upon the table.

A Petition of divers Inhabitants of the County of *Portneuf*, was presented to the House by Mr. *Aylwin*, and the same was received and read; setting forth:—That Petitioners were not represented in the Special Council of the late Province of *Lower Canada*, in which laws were passed imposing burthens on them—That among other Ordinances passed were those For amending the Judicature of said Province—For establishing and maintaining a Police in the Cities of *Quebec* and *Montreal*—For extending the provisions of the last Ordinance—For the improvement of the Queen's Highway—For introducing more suitable Vehicles on the Winter Roads—For establishing District Councils—For establishing Registry Offices—and For establishing District Courts and Gaols—which Ordinances, not receiving their consent, and being vexatious and otherwise burthensome to Petitioners, they pray the same may be repealed, and no longer serve as a precedent for such dangerous and unconstitutional Legislation.

Petition of divers inhabitants of County of Portneuf, complaining of certain Ordinances passed by the late Special Council.

Ordered—That the said petition do lie upon the table.

Petition of Simon M'Kenzie and others praying remuneration for loss of land by erroneous survey.

A Petition of *Simon McKenzie, Thomas G. Chapman, Donald McKenzie, Alex. Fraser & John D. McKenzie*, of the District of *Gore*, was presented to the House, by Mr. *Durand*; and the same was received and read; setting forth:—

That Petitioners are owners of certain broken lots in the township of *Beverly*, in the *Gore* District—That owing to the survey of said township being erroneous, the Boundary line Commissioners, in regulating the lines of said township, have caused large deficiencies in Petitioners lands—That the said Commissioners, in making their award, have expressed themselves in the following language:—“And it is the opinion of this Board of Commissioners that the unfortunate situation of the several claimants under the grant from the Crown to the late *John Clement*, for the broken lots *F. G. & J.* in the *sixth, seventh* and *ninth* concessions of the said township of *Beverly*, is such, that, as the quantity of land is not to be found, unless the Government afford them such remuneration as in its wisdom may seem meet, there is no source, within the knowledge of the Board of Commissioners, from which they can be compensated for their loss.”—That the quantity of land deficient is upwards of six hundred acres—That petitioners' loss is, according to the valuation of said Commissioners, to the amount as followeth: viz.:—*Simon M'Kenzie*, £78—*Donald J. M'Kenzie*, £405—*Alexander Fraser*, £278—*Thomas G. Chapman*, £413 5s.—and *John D. M'Kenzie*, £688—That no other persons in the said township are sufferers—and petitioners therefore pray that the House will consider their case and afford such remuneration as shall appear reasonable.

Ordered—That the said petition do lie upon the table.

House in Committee on His Excellency's Speech at opening of Session

The Order of the day for the House in committee on the Speech of His Excellency, the Governor General, to both Houses of the Provincial Legislature, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Morris* took the chair of the said Committee; and after some time spent therein,

Mr. Speaker resumed the chair;

And Mr. *Morris* reported that the Committee had come to several Resolutions; which Resolutions were again read, at the Clerk's table, and agreed to by the House, and are as followeth:—

Resolutions in answer to speech at opening of Session

Resolved—That this House do humbly thank His Excellency for his Speech from the Throne, at the opening of the present Session.

Resolved—That this House duly appreciates the motives which have led His Excellency to assemble the Provincial Parliament at the earliest period which the circumstances of the Province, and the duties imposed upon him by the Imperial Act for the Union of the *Canadas*, under which the Legislature is Constituted, have admitted; and it is grateful to His Excellency for the expression of his satisfaction in now meeting this House, to deliberate on the great and important interests committed to the charge of the Provincial Parliament.

Resolved—That this House learns with pleasure that no time was lost, by the Executive of the Province, in remonstrating against the forcible detention of a subject of Her Majesty, an inhabitant of this Province, in the neighbouring States, under a charge of a pretended crime; that provision was made for securing to the individual the means of defence, pending the further action of Her Majesty's Government, and that the Queen's Representative at *Washington* has since been instructed to demand his release.

Resolved—That this House receives, with feelings of the warmest

gratitude, the assurances which His Excellency has given to us by the Queen's command, of Her Majesty's fixed determination to protect her faithful subjects, in *Canada*, with the whole weight of her power.

Resolutions in answer
to Speech at Opening
of Session.

Resolved—That this House is deeply sensible of the great advantages which the Province has derived, and must derive, from the arrangements by which, under the directions of the Treasury, the rates of postage between all parts of the Colony and the *United Kingdom* have been greatly reduced, as well as from those which have been made by the Deputy Post Master General, under His Excellency's directions, for the more speedy and regular conveyance of letters between the different parts of this Province; and it confidently anticipates, with His Excellency, that the result of the labours of the Commission, he has been pleased to appoint, to enquire into and report upon the whole Post Office System of British *North America*, will be the better establishment of a plan securing improvements in the internal communication, by post, within the Colony, equal to those which we have already obtained, in the communication with the Mother Country.

Resolved—That the earliest and most serious attention shall be given by this House to the many subjects of deep importance to the future welfare of the Province which demand it; and His Excellency may rest assured that any Measures which His Excellency may direct to be submitted to us, shall receive our prompt and willing consideration.

Resolved—That this House feels that among the first of these subjects, in importance, is the adoption of measures for developing the resources of the Province, by well considered and extensive Public Works; and that the rapid settlement of the Country, the value of every man's property within it, and the advancement of his future fortunes, are deeply affected by this question.

Resolved—That this House concurs with His Excellency in the opinion that the improvement of the navigation from the shores of the Lake *Erie* and Lake *Huron* to the *Ocean*, are works requiring a great outlay of money, but promising commensurate returns. We are aware of the difficulty which would have existed in undertaking these works in the present financial condition of the Province, and we learn with gratitude and pleasure that His Excellency has received the authority of Her Majesty's Government to state that they are prepared to call on the Imperial Parliament to afford their assistance towards these important undertakings; and that, in the full belief that peace and tranquillity will be happily established in the Province, under the Constitution settled by Parliament, and that nothing but a relief from its most pressing difficulties is wanting to its rapid advancement to prosperity, they will propose to Parliament, by affording the guarantee of the Imperial Treasury for a Loan to the extent of no less than a million and a half, to aid the Province, for the double purpose of diminishing the pressure of the Interest on the Public Debt, and of enabling it to proceed with those great public undertakings, whose progress during the last few years has been arrested by financial difficulties; and that the best consideration of this House will be given to the reason which His Excellency intends to submit to us embracing a plan for those important purposes, and we shall thankfully receive the Extracts which may be laid before us for our information and that of the people of *Canada*, from the despatches in which this gratifying assurance of the intentions of Her Majesty's Government were communicated to His Excellency.

Resolved—That Emigration, and the disposal and settlement of the Public Lands, are subjects so intimately connected with the welfare of the Province, that this House cannot but take the most lively interest in all measures that may relate to them. This House cordially concurs with His Excellency, in believing that there exist within the Province no means

Resolutions in answer
to Speech at Opening
of Session

so certain of producing a healthy flow of Emigration from the Mother Country, and of ultimately establishing the Emigrant as a Settler and proprietor within the Colony, as the power of affording sure employment for his labour on his first arrival; and that the assistance of Parliament for the Public Works which may be undertaken here, will, in a great measure, provide for this. But we are happy to learn that yet further assistance will be afforded us in this great work, and that, with a view further to aid Emigration, His Excellency is authorized to declare to us that Her Majesty's Government are prepared to assist in facilitating the passage of the Emigrant from the Port at which he is landed, to the place where his labour may be made available, and that a vote of money for this purpose will be proposed to the Imperial Parliament. We shall be gratified by receiving any communication which His Excellency may have to make us on this subject; and we shall not fail to give our best consideration to any scheme for the settlement and disposal of the Public Lands, which His Excellency may be pleased to lay before us.

Resolved—That the earnest attention of this House shall be given to any measure which His Excellency may submit to it for the more extended application of the principles of local self Government, which already prevail to some extent throughout that part of the Province which was formerly *Upper Canada*, for enabling the people to exercise a greater degree of power over their own local affairs, and for the establishment of such a form of local self Government for those Districts of the Province which are unprovided with it, as may ensure satisfaction to the people while it preserves inviolate the prerogative of the Crown, and maintains the administration of Justice pure from party and popular excitement.

Resolved—That His Excellency do rest assured that this House holds the Education of the people to be a subject of paramount importance, and that they sincerely regret that the want of due provision in this behalf should have been so long felt in the Province—they are aware of the difficulty of establishing an efficient system by which the blessings of instruction may be placed within the reach of all; but they are aware also of the overwhelming importance of the subject, and it shall be the object of their best attention, and their most anxious consideration. They humbly thank His Excellency for the promise of His co-operation in their labours, and they trust that with that co-operation they shall be able to obtain a measure which, if it should fail so to reconcile conflicting opinions as to meet the approbation of all, will at least serve as a step by which an advance to a more perfect system may be made, and the difficulty under which the people of the Province now labour may be greatly diminished, subject to such improvements hereafter as time and experience may point out.

Resolved—That this House thanks His Excellency for having directed that the financial accounts of the Province, and the estimates for the public service, shall be submitted to them with the least possible delay. And this House will give its prompt and deliberate attention to the financial measures which His Excellency may lay before them for rendering the proposed assistance from Her Majesty's Government advantageous to the Province, and this House feel grateful to His Excellency for his assurance that whatever may be appropriated for this purpose will be economically employed and rendered effective.

Resolved—That this House humbly thanks His Excellency for the expression of his confidence in them, for the regulation of the different important matters which must necessarily come before them; they will endeavour so to order their counsels as that *Canada*,—united under a Constitution which, although it may hereafter require some modification, this House is satisfied the Imperial Legislature has framed with an earnest desire for the welfare of this portion of the British Empire,—cannot fail to prosper.

Resolved—That this House gratefully receives as pledges of the sincerity with which the Mother Country desires to promote the prosperity of *Canada*, and assist in the well working of the new Institutions which it has established, the generous aid which His Excellency has announced to them; the determination which His Excellency has been empowered to state on the part of the Government, to devote annually a large sum for the military defences of the Province,—and the fixed and settled determination which His Excellency has declared to them, in Her Majesty's name, that Her North American possessions shall be maintained at all hazards, as a part of Her Empire. They are aware that the eyes of *England* are fixed anxiously on the result of the great experiment which is now to be tried in this Province. They will use their best endeavours to ensure its success, and humbly hope that the aid of Parliament in their undertakings; the confidence of the British Capitalists in the credit they may require of them; the security which the British people will feel in seeking their shores, and establishing themselves on their fertile soil, may carry the improvement of the Province to an unexampled height. The rapid advance of Trade and Emigration, within the last eighteen months, afford ample evidence of the effect of tranquillity in restoring confidence, and promoting prosperity.—They pray fervently that no dissensions may mar the flattering prospect which is open before them; that their efforts may be steadily directed to the great practical improvement of which the Province stands so much in need; and that, under the blessing of that Providence which has hitherto preserved this portion of the British dominions, their Counsels may be so guided as to ensure to the Queen, attached and loyal subjects, and, to United *Canada*, a prosperous and contented people.

Resolutions in answer to Speech at Opening of Session.

Resolved—That the said Resolutions be referred to a special Committee, of five members, to prepare and report the draft of an Address, in answer to the speech of His Excellency, the Governor General, to both Houses, at the opening of the present Session of the Provincial Parliament.

Ordered—That Mr. *Cameron*, Mr. *Black*, Mr. *Dunscomb*, Mr. *Merritt*, and the Honorable Mr. *Moffatt*, do compose the said Committee.

Committee to draft Address.

The order of the day for the second reading of the Bill to regulate the Fisheries in the District of *Gaspé*, being read,

Order of the day for second reading bill, *Gaspé* Fisheries, postponed.

Ordered—That the said order of the day be postponed until to-morrow.

The order of the day for the second reading of the Bill for better securing the Independence and uprightness of the Judges, being read,

As also bill for Independence of Judges.

Ordered—That the said order of the day be postponed until to-morrow.

Then, on motion of Mr. *Morris*, seconded by Mr. *Price*,
The House Adjourned.

Mercurii, 23^o die Junii;

Anno 4^o Victoriae Reginae, 1841.

Mr. Speaker acquainted the House that, pursuant to its order of *Monday* last, the Clerk had appointed *George Barthélemi Faribault, Esq.* to be Assistant Clerk to this House.

G. B. Faribault, Esq.,
appointed Assistant Clerk.

On motion of Mr. *Simpson*, seconded by the Honorable Mr. *Dunn*,
Resolved—That this House doth concur in the said appointment

Mr. John Roy appointed Deputy Sergeant-at-Arms.

Mr. Speaker, communicated to the House the following letter :

KINGSTON, 23rd. JUNE, 1841.

SIR,

I beg leave, with the approbation of the House of Assembly, to appoint Mr. *John Roy*, my Deputy, as Sergeant at Arms.

I have the honor to be,

Sir,

You most obedient, humble seryant,

Signed,

GEO. K. CHISHOLM,

Sergt. at Arms.

To the Honorable the Speaker }
of the House of Assembly. }

Leave of absence to Mr Kimber.

Ordered—That Mr. *Kimber*, have leave to absent himself from this House from the twenty fourth Instant.

Petition for further regulations by law in preparing Students for the practice of medicine.

A petition of the Medical Board of the District of *Montreal*, was presented to the House by Mr. *McCulloch*, and the same was received and read ; setting forth :—The necessity of more ample preparation, and instruction, to students for the medical profession than the law at present demands ; and praying that the subject may be taken into the serious consideration of the House, and that such regulations may be established for the improvement of medical education in the Province, as to its wisdom may seem meet.

Ordered—That the said Petition do lie upon the table.

Draft of Address in answer to Speech reported.

Mr. *Cameron*, from the select Committee to whom had been referred the Resolutions of this House on the Speech of His Excellency, the Governor General, to both Houses of the Provincial Legislature, for the purpose of preparing and reporting the draft of an Address in answer to the said Speech, founded on the said Resolutions, reported to the House the said draft of an Address, which was again read at the Clerk's table, and is as followeth :—

To His Excellency, The Right Honorable CHARLES, BARON SYDENHAM, of *Sydenham*, in the county of *Kent*, and *Toronto*, in *Canada* ; One of Her Majesty's most Honorable Privy Council, Governor General of British *North America*, and Captain General and Governor in Chief, in and over the Provinces of *Canada*, *Nova Scotia*, *New Brunswick*, and the *Island of Prince Edward*, and Vice-Admiral of the same, &c. &c.

MAY IT PLEASE YOUR EXCELLENCY ;

Address in answer to Speech at opening of Session.

We, Her Majesty's dutiful and loyal subjects, the Legislative Assembly of the Province of *Canada*, most humbly beg leave to thank Your Excellency for Your most gracious Speech from the Throne ; at the opening of the present Session.

We duly appreciate the motives which have led Your Excellency to assemble the Provincial Parliament at the earliest period which the circumstances of the Province, and the duties imposed upon Your Excellency by the Imperial Act for the Union of the *Canadas*, under which the Legislature is constituted, have admitted ; and we are grateful for Your Excellency's expression of satisfaction in now meeting us, to deliberate on the great and important interests committed to the charge of the Provincial Parliament.

We learn with pleasure that no time was lost by the Executive of the Province, in remonstrating against the forcible detention of a subject of Her Majesty, an inhabitant of this Province, in the neighbouring States, under a charge of a pretended crime; that provision was made for securing to the individual the means of defence, pending the further action of Her Majesty's Government, and that the Queen's Representative at *Washington* has since been instructed to demand his release.

Address in answer to
Speech at opening of
Session.

We receive, with feelings of the warmest gratitude, the assurances which Your Excellency has given us, by the Queen's command, of Her Majesty's fixed determination to protect Her faithful subjects in *Canada* with the whole weight of Her power.

We are deeply sensible of the great advantages which the Province has derived, and must derive, from the arrangements by which, under the directions of the Treasury, the rates of postage between all parts of the Colony and the *United Kingdom* have been greatly reduced, as well as from those which have been made by the Deputy Post Master General, under Your Excellency's directions, for the more speedy and regular conveyance of letters between the different parts of this Province; and we confidently anticipate, with Your Excellency, that the result of the labours of the Commission Your Excellency has been pleased to appoint to inquire into and report upon the whole Post Office System of British *North America*, will be the establishment of a plan securing improvements in the internal communication, by post, within the Colony, equal to those which we have already obtained in the communication with the Mother Country.

Our earliest and most serious attention shall be given to the many subjects of deep importance to the future welfare of the Province which demand it; and Your Excellency may rest assured that any measures which You may direct to be submitted to us, shall receive our prompt and willing consideration.

We feel that among the first in importance of these subjects, is the adoption of measures for developing the resources of the Province, by well considered and extensive Public Works; and that the rapid settlement of the Country, the value of every man's property within it, and the advancement of his future fortunes are deeply affected by this question.

We concur with Your Excellency in the opinion that the improvement of the Navigation, from the shores of Lake *Erie* and Lake *Huron* to the *Ocean*, is a work requiring a great outlay of money, but promising commensurate returns. We are aware of the difficulty which would have existed in undertaking this work in the present financial condition of the Province, and we learn with gratitude and pleasure that Your Excellency has received the authority of Her Majesty's Government to state that they are prepared to call on the Imperial Parliament to afford their assistance towards this important undertaking; and that in the full belief that peace and tranquillity will be happily established in the Province, under the Constitution settled by Parliament, and that nothing but a relief from its most pressing difficulties is wanting to its rapid advancement to prosperity, they will propose to Parliament, by affording the guarantee of the Imperial Treasury for a Loan to the extent of no less than a million and a half sterling, to aid the Province, for the double purpose of diminishing the pressure of the Interest on the Public Debt, and of enabling it to proceed with those great public undertakings, whose progress, during the last few years, has been arrested by financial difficulties.

Our best consideration will be given to the measure which Your Excellency intend to submit to us, embracing a plan for these important purposes, and we shall thankfully receive the extracts which may be laid before us for our information, and that of the people of *Canada*, from the Des-

Address in answer to
speech at opening of
Session

patches in which this gratifying assurance of the intentions of Her Majesty's Government were communicated to your Excellency.

We cordially concur with Your Excellency in the opinion that Emigration, and the disposal and settlement of the Public Lands, are subjects so intimately connected with the welfare of the Province, that we cannot but take the most lively interest in all measures that may relate to them; and that there exists within the Province no means so certain of producing a healthy flow of Emigration from the Mother Country, and of ultimately establishing the Emigrant as a settler and proprietor within the Colony, as the power of affording sure employment for his labour on his first arrival. The assistance of Parliament for the Public Works which may be undertaken here, will in a great measure provide for this. But we are happy to learn that yet further assistance will be afforded us in this great work, and that, with a view further to aid Emigration, your Excellency is authorized to declare to us that Her Majesty's Government are prepared to assist in facilitating the passage of the Emigrant, from the Port at which he is landed, to the place where his labour may be made available; and that a vote of money for this purpose will be proposed to the Imperial Parliament. We shall be gratified by receiving any communication which your Excellency may have to make to us on this subject; and we shall not fail to give our best consideration to any scheme for the settlement and disposal of the Public Lands, which your Excellency may be pleased to lay before us.

Our earnest and most serious attention shall be given to any measure which your Excellency may submit to us for the more extended application of the principles of local self government, which already prevail to some extent throughout that part of the Province which was formerly *Upper Canada*, for enabling the people to exercise a greater degree of power over their own local affairs, and for the establishment of such a form of local self government for those Districts of the Province which are unprovided with it, as may ensure satisfaction to the people while it preserves inviolate the prerogative of the Crown, and maintains the administration of justice pure from party and popular excitement.

Your Excellency may rest assured that we hold the Education of the people to be a subject of paramount importance, and that we sincerely regret that the want of due provision in this behalf should have been so long felt in the Province.—We are aware of the difficulty of establishing an efficient system by which the blessings of instruction may be placed within the reach of all, but we are aware also of the overwhelming importance of the subject, and it shall be the object of our best attention, and our most anxious consideration. We humbly thank your Excellency for the promise of Your co-operation in our labours, and we trust that with that co-operation we shall be able to obtain a measure which, if it should fail so to reconcile conflicting opinions as to meet the approbation of all, will, at least, serve as a step by which an advance to a more perfect system may be made, and the difficulty under which the people of the Province now labour may be greatly diminished, subject to such improvements hereafter as time and experience may point out.

We thank your Excellency for the assurance that the financial accounts of the Province, and the estimates for the public service, shall be submitted to us with the least possible delay; and while we shall give our prompt and deliberate attention to the financial measures which your Excellency may lay before us, for rendering the proposed assistance from Her Majesty's Government advantageous to the Province, we feel grateful to your Excellency for the assurance that whatever may be appropriated for this purpose will be economically employed and rendered effective.

We humbly thank your Excellency for the expression of Your confi-

dence in us for the regulation of the different important matters which must necessarily come before us; we will endeavour so to order our counsels as that *Canada*, united under a Constitution which the Imperial Legislature has framed with an earnest desire for the welfare of this portion of the British Empire, and subject to such a modifications, as may hereafter be required, cannot fail to prosper.

Address in answer to
Speech at opening of
Session.

We gratefully receive, as pledges of the sincerity with which the Mother Country desires to promote the prosperity of *Canada*, and assist in the well working of the new institutions which it has established, the generous aid which your Excellency has announced to us—the determination which your Excellency has been empowered to state on the part of the Government, to devote annually a large sum for the military defences of the Province—and the fixed and settled determination which your Excellency has declared to us in Her Majesty's name, that Her North American possessions shall be maintained at all hazards, as a part of Her Empire. We are aware that the eyes of *England* are fixed anxiously on the result of the great experiment which is now to be tried in this Province. We will use our best endeavors to ensure its success, and humbly hope that the aid of Parliament in our undertakings; the confidence of the British Capitalists in the credit we may require of them; the security which the British people will feel in seeking our shores, and establishing themselves on our fertile soil, will carry the improvement of the Province to an unexampled height. The rapid advance of Trade and Emigration within the last eighteen months, afford ample evidence of the effect of tranquillity in restoring confidence, and promoting prosperity.—We pray fervently that no dissensions may mar the flattering prospect which is open before us,—that our efforts may be steadily directed to the great practical improvements of which the Province stands so much in need, and that under the blessing of that Providence which has hitherto preserved this portion of the British dominions, our Counsels may be so guided as to ensure to the Queen, attached and loyal subjects, and to United *Canada*, a prosperous and contented people.

Mr. *Cameron* moved, seconded by Captain *Steele*, that the question of concurrence be now separately put upon each paragraph of the said Address.

Mr. *Neilson* moved in amendment, seconded by Mr. *Morin*, that all the words in the said motion after “that” be struck out, and the following substituted “the following draft of an Address in answer to His Excellency's Speech be adopted by this House” :—

Amendment proposed
by Mr. Neilson, to
address in answer to
Speech.

“We, Her Majesty's dutiful and loyal subjects, the Legislative Assembly of the Province of *Canada*, most humbly thank your Excellency for the Speech delivered from the Throne, at the opening of the present session.

We receive with respect your Excellency's declaration that you have assembled us at the earliest period which the circumstances of the Province and the duties imposed upon you by the Imperial Act for the Union of the *Canadas*, have permitted.

It is with deep concern that we have learnt from your Excellency that a subject of Her Majesty, and an inhabitant of this Province, has been forcibly detained in the neighbouring States; and we acknowledge with gratitude the assurance which your Excellency has been authorized to make, that it is Her Majesty's fixed determination to afford her powerful protection to her subjects in this Province.

We feel grateful for the arrangements which your Excellency communicates, by which Her Majesty's Government has reduced the rates of postage between this Colony and the United Kingdom, and that a more

Amendment proposed
by Mr. Neilson, to
address in answer to
speech

speedy and regular conveyance of letters within the Province has been effected under your Excellency's direction. And we shall hail with satisfaction any improvements in the Department of the Post Office which will put us in a condition, in that respect, equal to that which exists in the Mother Country.

We beg leave to assure your Excellency, that any message from your Excellency on matters which may be of deep importance to the future welfare of the Province, will receive our most serious attention.

The improvements of the navigation and establishment of internal communications are objects essential to the general prosperity; and we feel grateful for the information which your Excellency has communicated, that Her Majesty's Government is disposed to assist in promoting them. When your Excellency shall be pleased to lay before us despatches which convey this assurance, the whole of these subjects will receive our most respectful consideration.

We will also give our earnest consideration to the subject of Emigration, and the disposal and settlement of the Public Lands, as connected with the outlay of capital upon public works; and we derive satisfaction from the information communicated by your Excellency, that Her Majesty's Government is disposed to assist Emigrants in proceeding to those parts of the Province where their labor may be made available. Any judicious measure which may seem calculated to alleviate the sufferings of our fellow-subjects in the United Kingdom, who leave their home with a view of bettering their condition in this Province, will be readily concurred in by us.

We particularly thank your Excellency for your expressions in favor of local self-government, and that the people should exercise a greater degree of power over their local affairs. When the measure may come under our consideration, we shall not fail to respect the prerogative of the Crown, while we endeavor to secure the independent and impartial administration of justice.

We concur entirely with your Excellency in the importance of affording every facility for a general Education of the people. While we are ever ready to respect the rights of all to the equal enjoyment of the blessings of instruction, we trust that our labours, for the ends for which we have your Excellency's proffered co-operation, will eventually prove successful.

It is our peculiar duty to bestow the most serious attention on the public accounts, and the estimates for the public services, to be submitted to us by your Excellency, and also on any financial measures which your Excellency may lay before us affecting the revenue levied in this Province, or which may in any way tend to impose burthens on our constituents.

Your Excellency may be assured that in discharge of our duties to Her Majesty and our constituents, it will be our constant endeavor that all our proceedings should be characterized by wisdom and prudence. In conformity to our obligations as subjects of the British Crown, and bound to fidelity by the most sacred ties, we have assembled in obedience to an Act of the Imperial Parliament and Her Majesty's writs, to advise and consent to such laws as may be deemed necessary for the peace, welfare, and good government of *Canada*: although we cannot but regret that the most populous portion of the Province heretofore constituted under the Act of Parliament of 1791, as the Province of *Lower Canada*, has not been consulted on the Constitution of the Government which is now substituted for that which prevailed under the said Act; and there are features in the Act now constituting the Government of *Canada*, which are inconsistent with justice, and the common rights of British subjects.

We shall, nevertheless, endeavour to discharge the duties which we are now called to perform, in the true spirit of British freemen, in the hope that justice may finally prevail, and restore that confidence and prosperity, which your Excellency desires, and in which we, as well as our posterity, are so deeply interested.

The House divided on the motion of amendment, and the names being called for, they were taken down, as followeth :—

Division on Mr. Neilson's amendment to address in answer to Speech.

YEAS.

<i>Armstrong,</i>	<i>Desrivieres,</i>	<i>Morin,</i>	<i>Raymond,</i>
<i>Aylwin,</i>	<i>Durand,</i>	<i>Neilson,</i>	<i>Ruel,</i>
<i>Baldwin, Hon. R.</i>	<i>Hamilton,</i>	<i>Noel,</i>	<i>Small,</i>
<i>Barthe,</i>	<i>Hincks,</i>	<i>Parent,</i>	<i>Taschereau,</i>
<i>Berthelot,</i>	<i>Hopkins,</i>	<i>Price,</i>	<i>Turcotte,</i>
<i>Boutillier,</i>	<i>Kimber,</i>	<i>Quesnel,</i>	<i>Viger, Hon. D.B.</i>
<i>Christie,</i>			(25)

NOES.

<i>Black,</i>	<i>Derbshire,</i>	<i>McCulloch,</i>	<i>Robertson</i>
<i>Boswell,</i>	<i>De Salaberry,</i>	<i>McDonald, (Pres.)</i>	<i>Roblin,</i>
<i>Buchanan,</i>	<i>Draper, Hon. W. H.</i>	<i>McDonald, (Glen.)</i>	<i>Simpson,</i>
<i>Burnet,</i>	<i>Dunn, Hon. J. H.</i>	<i>McLean,</i>	<i>Smith, (Fron.)</i>
<i>Cameron,</i>	<i>Dunscomb.</i>	<i>MacNab, Sir A. N.</i>	<i>Sherwood,</i>
<i>Campbell,</i>	<i>Duggan,</i>	<i>Merritt,</i>	<i>Steele,</i>
<i>Cartwright,</i>	<i>Foster,</i>	<i>Moffatt, Hon. G.</i>	<i>Strachan,</i>
<i>Chesley,</i>	<i>Gilchrist,</i>	<i>Moore,</i>	<i>Thompson,</i>
<i>Cook,</i>	<i>Hale,</i>	<i>Morris,</i>	<i>Watts,</i>
<i>Crane,</i>	<i>Holmes,</i>	<i>Ogden, Hon. C. R.</i>	<i>Williams,</i>
<i>Daly, Hon. D.</i>	<i>Johnston,</i>	<i>Powell,</i>	<i>Woods,</i>
<i>Day, Hon. C. D.</i>	<i>Jones,</i>	<i>Prince,</i>	<i>Yule.—50</i>
<i>Delisle,</i>	<i>Killaly, Hon. H. H.</i>		

So it passed in the Negative.

The question being then put on the main motion, it was agreed to unanimously, and Main Quest. carried.

The first to the seventh Paragraphs of the said Address inclusively, being again severally read, and the question of concurrence being separately put upon each, they were agreed to unanimously. Paragraphs from 1 to 7 agreed to.

The eighth Paragraph of the said Address being again read,

Mr. *Hincks* moved, in amendment, seconded by Mr. *Price*, that the words "render the constitution settled by Parliament" be struck out of the Paragraph. Amendment proposed to 8th paragraph.

The House divided on the motion of amendment; and the names being called for, they were taken down, as followeth :—

Division on Mr. Hincks' amendment to 8th paragraph.

YEAS.

<i>Armstrong,</i>	<i>Christie,</i>	<i>Morin,</i>	<i>Quesnel,</i>
<i>Aylwin,</i>	<i>Desriviers,</i>	<i>Neilson,</i>	<i>Raymond,</i>
<i>Baldwin, Hon. R.</i>	<i>Durand,</i>	<i>Noel,</i>	<i>Ruel,</i>
<i>Barthe,</i>	<i>Hincks,</i>	<i>Parent,</i>	<i>Turcotte,</i>
<i>Berthelot,</i>	<i>Kimber,</i>	<i>Price,</i>	<i>Viger, Hon. D.B.</i>
<i>Boutillier,</i>			(21)

NOES.

<i>Black,</i>	<i>Burnet,</i>	<i>Cartwright,</i>	<i>Cook,</i>
<i>Boswell,</i>	<i>Cameron,</i>	<i>Chesley,</i>	<i>Crane,</i>
<i>Buchanan,</i>	<i>Campbell,</i>	<i>Child,</i>	<i>Daly, Hon. D.</i>

<i>Day, Hon. C. D.</i>	<i>Holmes,</i>	<i>Moore,</i>	<i>Smith, (Went.)</i>
<i>Delisle,</i>	<i>Johnston,</i>	<i>Morris,</i>	<i>Sherwood,</i>
<i>Derbshire,</i>	<i>Jones,</i>	<i>Ogden, Hon. C.R.</i>	<i>Steele,</i>
<i>De Salaberry,</i>	<i>Killaly, Hon. H.H.</i>	<i>Powell,</i>	<i>Strachan,</i>
<i>Draper, Hon. W.H.</i>	<i>McCulloch,</i>	<i>Prince,</i>	<i>Thompson,</i>
<i>Dunn, Hon. J. H.</i>	<i>McDonald, (Pres.)</i>	<i>Robertson,</i>	<i>Thorburn,</i>
<i>Dunscomb,</i>	<i>McDonald, (Glen.)</i>	<i>Roblin,</i>	<i>Watts,</i>
<i>Duggan,</i>	<i>McLean,</i>	<i>Simpson,</i>	<i>Williams,</i>
<i>Foster,</i>	<i>MacNab, Sir A.N.</i>	<i>Small,</i>	<i>Woods,</i>
<i>Gilchrist,</i>	<i>Merritt,</i>	<i>Smith, (Fron.)</i>	<i>Yule.—54</i>
<i>Hale,</i>	<i>Moffatt, Hon. Geo.</i>		

So it passed in the Negative.

8th paragraph agreed to

The question being then put on the eighth Paragraph of the said Address, it was agreed to unanimously.

9th to 13th paragraphs agreed to

The ninth to the thirteenth Paragraphs of the said Address inclusively, being again severally read ; and the question of concurrence being separately put upon each, they were agreed to unanimously.

The fourteenth Paragraph of the said Address being again read,

Mr. *Cameron* moved in amendment, seconded by Mr. *Merritt*, that the words “ may hereafter be required ” be struck out of the said Paragraph, and the following substituted “ as experience may hereafter require.”

House divides on Mr. Cameron's amendment.

The House divided on the motion of amendment, and the names being called for, they were taken down, as followeth :—

YEAS.

<i>Black,</i>	<i>Derbshire,</i>	<i>Killaly, Hon. H.H.</i>	<i>Roblin,</i>
<i>Boswell,</i>	<i>De Salaberry,</i>	<i>McCulloch,</i>	<i>Simpson,</i>
<i>Buchanan,</i>	<i>Draper, Hon. W.H.</i>	<i>McDonald, (Pres.)</i>	<i>Smith, (Fron.)</i>
<i>Burnel,</i>	<i>Dunn, Hon. J. H.</i>	<i>McDonald, (Glen.)</i>	<i>Steele,</i>
<i>Cameron,</i>	<i>Dunscomb,</i>	<i>McLean,</i>	<i>Strachan,</i>
<i>Cartwright,</i>	<i>Foster,</i>	<i>Merritt,</i>	<i>Thompson,</i>
<i>Chesley,</i>	<i>Gilchrist,</i>	<i>Moffatt, Hon. G.</i>	<i>Thorburn,</i>
<i>Child,</i>	<i>Hale,</i>	<i>Moore,</i>	<i>Watts,</i>
<i>Crane,</i>	<i>Hamilton,</i>	<i>Ogden, Hon. C.R.</i>	<i>Williams,</i>
<i>Daly, Hon. D.</i>	<i>Holmes,</i>	<i>Prince,</i>	<i>Woods,</i>
<i>Day, Hon. C. D.</i>	<i>Johnston,</i>	<i>Robertson,</i>	<i>Yule.—45</i>
<i>Delisle,</i>			

NOES.

<i>Armstrong,</i>	<i>Desrivieres,</i>	<i>Morris,</i>	<i>Ruel,</i>
<i>Aylwin,</i>	<i>Duggan,</i>	<i>Neilson,</i>	<i>Small,</i>
<i>Baldwin, Hon. R.</i>	<i>Durand,</i>	<i>Noel,</i>	<i>Smith, (Went.)</i>
<i>Barthe,</i>	<i>Hincks,</i>	<i>Parent,</i>	<i>Sherwood,</i>
<i>Bouillier,</i>	<i>Jones,</i>	<i>Powell,</i>	<i>Taschereau,</i>
<i>Campbell,</i>	<i>Kimber,</i>	<i>Price,</i>	<i>Turcolle,</i>
<i>Christie,</i>	<i>MacNab, Sir A.N.</i>	<i>Quesnel,</i>	<i>Viger, Hon. D.B.</i>
<i>Cook,</i>	<i>Morin,</i>	<i>Raymond,</i>	(31)

Amendment carried.

So it was carried in the affirmative.

The question being then put on the fourteenth Paragraph of the said Address, so amended,

The House again divided—

Yeas, 45.

Noes, 31.

So it was carried in the affirmative.

The fifteenth, and the last, Paragraph of the said Address being again read ; and the question of concurrence being put thereon, it was agreed to unanimously, and

Resolved—That this House doth concur with the Committee in the said Address. Address concurred in.

Ordered—That the said Address be engrossed.

Ordered—That the said Address be presented to His Excellency the Governor General, by the whole House.

Ordered—That Mr. *Cameron*, Captain *Steele*, Mr. *Prince*, and Mr. *Simpson*, do wait upon His Excellency, the Governor General, to know His Excellency's pleasure, when he will be attended by this House with their Address.

A Message from the Legislative Council, by *John Godfrey Spragge*, Esquire, Master in Chancery :— Message from Leg. Coun. with Code of Rules and a Resolution.

MR. SPEAKER,

The Legislative Council have adopted a code of Rules, for the guidance of this House, and a certain Resolution on the same subject, copies of which they herewith transmit for the information of the Legislative Assembly.

(Signed) ROBERT S. JAMESON,
Speaker.

Legislative Council Chamber, }
22nd June, 1841. }

“ It was moved that it be—

“ *Resolved*—That a manuscript copy of the Rules adopted by this House be communicated in the usual manner to His Excellency, the Governor General, and to the Legislative Assembly.” Resolution from Leg. Coun.

“ The said Resolution being read twice and the question of concurrence put thereon, the same was agreed to by the House, and it was *Ordered* accordingly.”

“ Truly extracted from the Journal of the Legislative Council, of Tuesday the twenty-second day of June, 1841.

(Signed) “ JAMES FITZGIBBON,
Clerk Legislative Council.”

And also—

MR. SPEAKER,

The Legislative Council have passed a Bill, intituled “ An Act to alter for a limited period the place of sitting of the Heir and Devisee Commission of the late Province of *Upper Canada* ; and for other purposes therein mentioned” to which they desire the concurrence of the Assembly. Message from Leg. Coun.

And then he withdrew.

An engrossed Bill from the Legislative Council, intituled “ An Act to alter for a limited period the place of sitting of the Heir and Devisee Commission of the late Province of *Upper Canada* ; and for other purposes therein mentioned,” was read for the first time. Bill from Leg. Coun. Sitting of Heir and Devisee Commission.

Ordered—That the said Bill be read a second time to-morrow.

A Petition of divers Inhabitants of the County of *Frontenac*, was presented to the House by Mr. *Prince*, and the same was received and read ; setting forth :—That petitioners are freeholders in the county of *Frontenac*, in the *Midland* district, and as such, entitled to vote at the election of a member to represent said county, in the Legislative Assembly of the Province. Petition of divers inhabitants of the county of Frontenac, complaining of the election of Henry Smith, Jr. Esquire.

Petition of divers inhabitants of the county of Frontenac, complaining of the election of Henry Smith, Jr. Esquire

That at the election of such member, held at *Kingston*, on *Monday*, the 5th day of *March* last, *Henry Smith*, Jun., Esq., and *James Mathewson*, Esq., were, respectively, proposed as candidates to represent said county in such Legislative Assembly; and *Thomas Kirkpatrick*, Esq., of *Kingston*, aforesaid, elected as the Returning Officer and President at the said election.

That the said *Henry Smith*, by means of bribes, treats, rewards, or favours, or promises of bribes, treats, rewards, or favours, paid, given, or ordered, or promised to be paid or given by himself, or by others, as his friends, agents, committees, or supporters, to divers freeholders and electors of the said county; and by threats and intimidation, and other corrupt and illegal acts, induced certain of such Electors to tender their votes at the said Election for him the said *Henry Smith*; and the said *Thomas Kirkpatrick* admitted the votes of such Electors for the said *Henry Smith*.

That the said *Henry Smith*, by reason of such bribes, treats, or favours, or promises thereof; and by the said threats and intimidation, and other corrupt and illegal conduct became, and was, and is disqualified from sitting in this present Parliament, as a Member of the Legislative Assembly, and ought not to have been returned as the member for the said county at the late election.

That during the said election the said *Thomas Kirkpatrick* conducted himself, as such Returning Officer, in an arbitrary, illegal, partial, and overbearing manner, in order to intimidate the electors at the said election, and to favour the said *Henry Smith*, and that, by reason thereof, freeholders desirous of tendering and recording their votes in favour of the said *James Mathewson* were prevented from so doing, and the said *Thomas Kirkpatrick*, during the said election, and contrary to law and the usage and practice at elections in this Province, and without any sufficient cause, removed, or caused to be removed from the Hustings the Counsel, Scrutineer, and Inspector of the said *James Mathewson*, and deprived the said *James Mathewson* of the benefit and assistance of the said Counsel, Scrutineer, and Inspector, and the said *Thomas Kirkpatrick*, by the rejection of good votes tendered for the said *James Mathewson*, and also by his arbitrary, partial, illegal, and overbearing conduct, and by the said *Thomas Kirkpatrick* so depriving the said *James Mathewson* of the benefit and assistance of the said Counsel, Scrutineer and Inspector, induced the said *James Mathewson* to relinquish the contest when many votes remained unpolled; and the said *Thomas Kirkpatrick*, illegally and improperly returned the said *Henry Smith* as duly elected, although the said *Henry Smith* was and is disqualified as above set forth from sitting in the said Legislative Assembly, and the majority on the poll in favour of the said *Henry Smith* was only collusive and colourable, and the said *James Mathewson* was, and is, entitled to the majority of the good and legal votes, and would have been returned by a majority of the legal votes in said county but for the illegal and improper conduct aforesaid, and praying the House to enquire into the merits of the said election and the conduct of the said *Henry Smith* and of the said Returning Officer, and either to amend the return by inserting the name of the said *James Mathewson*, instead of the said *Henry Smith*, or to cause a new writ to be issued for the election of a fit and proper person to represent the said county in place of the said *Henry Smith*. And also praying that petitioners may be allowed to offer evidence in support of the allegations set forth, before the committee to be appointed for the trial of the matter of this petition.

Ordered—That the said Petition do lie upon the table.

Mr. Speaker acquainted the House that *Edward Noble*, and *William Ferguson*, had entered into the usual recognizance required by Law, on the subject matter of the contested election for the county of *Fron-tenac*.

Speaker reports Re-
cognizance entered
into.

Resolved—That this House will, on *Friday* next, resolve itself into a Committee of the whole House to consider the orders adopted by the late House of Assembly of *Lower Canada* for regulating its proceedings in cases of contested elections in that Province.

House to go into Com-
mittee of whole, on
Friday next, to con-
sider orders of Lower
Canada Assembly on
contested Elections.

The Order of the day for the second reading of the Bill to amend the Heir and Devisee Act being read,

Order of day for second
reading of Bill to a-
mend Heir and Devisee
Act postponed.

Ordered—That the said Order of the day be postponed until the twenty-fifth day of July next.

The Order of the day for the House to proceed to the Ballot of members for a Committee to nominate the standing Committees of this House, being read—

Order of the day for
Committee to nominate
Standing Committees
postponed.

Ordered—That the said Order of the day be postponed until to-mor-
row, and that it be the first Order of the day.

A Bill to regulate the fisheries in the District of *Gaspé* was, accord-
ing to order, read a second time.

Gaspé fishery Bill read
second time.

Resolved—That the said Bill be referred to a Committee of five mem-
bers to report thereon with all convenient speed, with power to send for
persons, papers, and records.

Bill referred to Com-
mittee.

Ordered—That Mr. *Hamilton*, Mr. *Christie*, Mr. *Burnet*, the Honour-
able Mr. *Moffatt*, and Mr. *Dunsmomb*, do compose the said Committee.

Committee formed.

A Bill for better securing the independence and uprightness of the
Judges was, according to order, read a second time.

Judges Independency
Bill read second time,
and referred to Sel.
Committee.

Resolved—that the said Bill be referred to a Committee of five mem-
bers to report thereon with all convenient speed, with power to send for
persons, papers, and records.

Ordered—That Mr. *Aylwin*, Mr. Attorney General *Draper*, Mr.
Black, Mr. *Baldwin*, and Mr. *Price*, do compose the said Committee.

Committee formed

Then on motion of Mr. *Aylwin*, seconded by Mr. *Derbyshire*,
The House adjourned.

Jovis 24^o die Junii ;

Anno 4^o Victoriae Reginae, 1841.

Mr. *Cameron*, accompanied by the other messengers, reported that
in obedience to the orders of the House, they had waited upon His Ex-
cellency, the Governor General, to know His Excellency's pleasure
when he will receive this House, with their Address ; and that His Ex-
cellency had been pleased to appoint this day, at three o'clock, in the
afternoon, to receive the House, at the Government House.

His Exy. the Gov.
Gen. to receive the
House, with Address,
in answer to speech,
at 3 o'clock.

A Petition of the Clergyman, and Members of the Church of England,
resident in *St. Armand* west, was presented to the House by the Honour-
able Mr. *Moffatt*, and the same was received and read ; setting forth :—
That petitioners, viewing with dismay the ignorance, and consequent

Petition from Clergy-
man & Members of the
Church of England
praying that the bible,
entire, may be used in
schools as a class book.

injury to society in general, likely to accrue from the want of schools for the rising generation of the Province, and the utter impossibility of providing them, especially in the new settlements, from private contributions, satisfied also that it is the duty of every wise and beneficent Government to provide, for all classes of its subjects, the means of a sufficient Education, do, in perfect reliance on the wisdom of this House, most earnestly pray that the provision of such means may be amongst its earliest deliberations.

That petitioners, while they are anxious to promote, throughout the Province, the diffusion of general knowledge, are, in their own minds, convinced that knowledge, to be productive of any real benefit or substantial good to the people, must be guided by the unerring wisdom of God, as revealed in His Word.

That further, petitioners, at the same time that they respect the rights of conscience in their fullest extent, do yet consider the Bible as the most sacred of God's gifts to man,—a gift which they would not willingly see denied, or even in part withheld from the rising youth of the Province—That humbly also, but conscientiously, believing that the Bible, as given by God must be received as a whole, and cannot without rashness or detriment be either added to or diminished from—inasmuch, as all scripture is given by inspiration of God, and is therefore declared to be profitable in various ways and for various purposes, petitioners consider that they would ill discharge their duties as christians, and consequently as believers in the whole book of Revelation, if they did not deprecate, in any contemplated establishment of schools, every attempt to introduce into them extracts, only, from the holy scriptures, whereby the word of God would be abridged and mutilated, and the imperfect selections of uninspired men be substituted for the inspired word of the Almighty, expressly revealed for man's benefit and guidance.

Wherefore petitioners humbly pray that not only may the Bible, according to the received translation, be recognized as the class book to be universally taught in all public schools and seminaries throughout the Province in which Protestant children shall receive their Education; but that it may be put into the hands of all such schollars in its full and unabridged state, and that no part of it may be withheld from them.

Ordered—That the said petition do lie upon the table.

Petition from President and Directors of Canada Fire Assurance Company praying for an Act of Incorporation.

A petition of the President and Directors of the *Canada Fire Assurance Company*, was presented to the House by Mr. *Black*, and the same was received and read; setting forth:—That a large number of the citizens of *Quebec* have associated themselves together for the purpose of insuring against losses by fire, under the name of the "*Canada Fire Assurance Company*;"

That since the formation of this association, in the year 1840, they have transacted business to a very large extent, and still continue to do so.

That the capital of the said Company amounts to £100,000, divided into 4000 shares of £25 each, of which £58,000 has been subscribed and taken up, and five per cent thereon paid up, which, with an additional five per cent, to be called in forthwith, will make ten per cent on the amount of capital subscribed.

That the said association allows to its stockholders an abatement or discount of thirty three and a third per cent upon the premiums of the insurances they make with the said Company.

That owing to the small amount of each share, a portion of which only is required to be paid in, viz. ten per cent, it will be in the power of every proprietor, in the City of *Quebec*, to become a stockholder, and thus ensure his property at the lowest possible rate; an advantage not to be

derived from Institutions of a similar nature wherein the shares are nearly four times as large.

That by reason of the shares being so small, many, if not most of the proprietors, of small means, have been induced to purchase stock in the said association, and have thereby become so much interested in the suppression of fires, that threefold the activity has been manifested therein since the establishment of the said association in the City of *Quebec*.

That to enable said Company to carry on their business with the greater advantage they are desirous of obtaining a charter of Incorporation under the name aforesaid.

Wherefore petitioners humbly pray the House to concur in an Act incorporating the said association for the purposes, and under the name aforesaid.

Resolved—That the said Petition be referred to a Committee of five Members, to examine the contents thereof, and report thereon, with all convenient speed, by Bill or otherwise; with power to send for persons, papers, and records.

Foregoing petition referred to select Committee.

Ordered—That Mr. *Black*, the Honourable Mr. *Moffatt*, the Honourable Mr. *Viger*, Mr. *Baldwin*, and Mr. *Dunscob*, do compose the said Committee.

Committee formed.

Resolved—That the petition of *Jacob Gross* and *Daniel High*, Ministers of the Menonist Church, and others, presented to the House on the fifteenth instant, be referred to a Committee of five Members, to examine the contents thereof, and report thereon, with all convenient speed; with power to send for persons, papers, and records.

Petition of J Gross and D. High referred to select Committee

Ordered—That M. *Merritt*, Sir *Allan MacNab*, Mr. *Prince*, Mr. *Baldwin*, and Mr. *Boswell* do compose the said Committee.

Committee formed.

At the hour appointed, Mr. Speaker, and the House, went up to the Government House with the Address of the House.

House proceeds to Gov House, with Address

And being returned,

Mr. Speaker reported that the House had attended upon His Excellency, the Governor General, with their address, to which His Excellency was pleased to make the following answer:—

Mr. Speaker reports reply to Address in answer to Speech

Gentlemen of the House of Assembly,

I thank you for your Address, and I assure you of my entire reliance upon your wisdom and prudence to assist me in whatever may tend to augment the prosperity of the people of *Canada*.

Reply

Resolved—That the petition of *Robert J. Turner*, of the Town of *Kingston*, presented to the House on the sixteenth Instant, be referred to a select Committee, of five Members, to examine the contents thereof, and report thereon, by Bill or otherwise, with all convenient speed; with power to send for persons, papers, and records.

Petition of R. J Turner referred to select Committee.

Ordered—That Mr. *Price*, Mr. *Prince*, Mr. *Baldwin*, Mr. *Cartwright*, and Mr. *Small*, do compose the said Committee.

Committee formed

Resolved—That the petition of divers Freeholders, residing in the District of *Gore*, presented to the House on the sixteenth Instant, be referred to a select Committee, of five Members, to examine the contents thereof, and report thereon, by Bill or otherwise, with all convenient speed; with power to send for persons, papers, and records.

Petition of divers freeholders of the District of Gore referred to select Committee.

Ordered—That Mr. *Durand*, Mr. *Merritt*, Mr. *Price*, Mr. *Hopkins*, and Mr. *Thorburn*, do compose the said Committee.

Committee formed

Ordered—That Mr. *Simpson* have leave to bring in a Bill for the establishment of Anatomical Schools, and for the encouragement of Anatomical Science.

Bill for establishing Anatomical schools read.

He accordingly presented the said Bill to the House, and the same was received and read, for the first time.

Ordered—That the said Bill be read a second time on the first day of July, next.

Petition of George Rykert, and others, referred to select Committee.

Resolved—That the petition of *George Rykert*, and others, Inhabitants of the District of *Niagara*; presented to the House on the sixteenth instant, be referred to a committee of five members, to examine the contents thereof, and report thereon, with all convenient speed; with power to send for persons, papers and records.

Committee formed

Ordered—That *Mr. Merritt*, *Mr. Holmes*, *Mr. Johnston*, *Mr. Thornburn*, and the *Hon. Mr. Moffatt*, do compose the said committee.

Motion for Clerk to subscribe for Mirror of Parliament lost

Mr. Prince, moved, seconded by *Mr. Hincks*—That the Clerk be directed to subscribe for five hundred copies of the *Mirror of Parliament* for one month, for the use of the members of this House.

The question having been put upon the said motion, a division ensued, and it passed in the negative.

Subject of subscribing for News Papers referred to select Com

Mr. Simpson moved, seconded by *Mr. Durand*—That the subject of the subscription of the House to the public Newspapers of the Province, be referred to a Committee of five Members, to report thereon, with all convenient speed; with power to send for persons, papers, and records.

The question having been put upon the said motion, a division ensued and it was carried in the affirmative.

Resolved—Accordingly.

Committee formed.

Ordered—That *Mr. Simpson*, *Mr. Aylwin*, *Mr. Parent*, *Mr. Prince*, and *Mr. Hincks*, do compose the said committee.

Petition of Alpheus Todd, read.

Sir Allan MacNab, read in his place a petition of *Alpheus Todd*, of the City of *Toronto*, Deputy Lybrarian, to the late Provincial Assembly of *Upper Canada*.

Mr. Draper, one of Her Majesty's Executive Council, for the Province of *Canada*, rose in his place and said—That he had been commanded by His Excellency, the Governor General, to acquaint the House that His Excellency will concur in such measures for the appropriating moneys to their contingent expenses, as the House may, during the present Session, deem necessary.

Petition of Alpheus Todd

And then the said Petition was received, and read; setting forth:—That Petitioner, in his capacity of Deputy Librarian to the late Legislature of *Upper Canada*, having had continual evidence of the necessity which existed for the completion of a work on the practice and privilege of Parliament, to avoid the continual application to the Journals of the Imperial Parliament and other Parliamentary authorities, otherwise indispensable, determined, in the Spring of 1839, to attempt, himself, the compilation of a work calculated to effect the desired object,—and having, from his connexion with the Parliamentary Library, ample resources within his reach, he devoted the whole of his time to the subject, and was enabled, by the next Session, to get his work in such a state of forwardness as to bring it under the notice of the House of Assembly, under the name of the "Practice and Privilege of the two Houses of Parliament"—it having previously received the full approbation of the Speaker.

That the work of petitioner was referred to a select committee, upon whose recommendation an order was passed to print 500 copies of the same; it having, upon examination, given them entire satisfaction, but the amount of remuneration to him was left for future consideration, a small sum only being awarded him to superintend the printing thereof.

That petitioner stated privately, at the time, to the Speaker and one of the members of the Committee, that the lowest sum he could name as remuneration for the work in question was £200, which would indeed barely compensate him for the time expended in its compilation, setting aside the labour, experience, and research which it required; petitioner, therefore, refers the matter to the consideration of the House, praying them to make such provision for his remuneration as they may think fit.

Ordered—That the said Petition do lie upon the table.

Mr. *Hamilton* moved, seconded by Mr. *Sherwood*, that the House do now adjourn.

The question having been put upon the said motion, a division ensued and it passed in the negative.

Ordered—That Mr. *Prince* have leave to bring in a Bill to enable Aliens to hold real Estate in this Province.

He accordingly presented the said Bill in the House, and the same was received and read for the first time.

Ordered—That the said Bill be read a second time this day week.

The Order of the day, for the House to proceed to the Ballot of Members, for a Committee to nominate the Standing Committees of this House being read,

Ordered—That the said Order of the day be postponed until to-morrow, and that it be the first Order of the day.

Alien's Estate Bill read.

Order of the day for balloting Committee to nominate standing Committees postponed.

An engrossed Bill, from the Legislative Council, entitled, "*An Act to alter for a limited period the place of sitting of the Heir and Devisee Commission of the late Province of Upper Canada, and for other purposes therein mentioned,*" was, according to order, read a second time.

Heir and Devisee bill read second time.

On motion of Mr. Attorney General *Draper*, seconded by the Honourable Mr. *Viger*,

Ordered—That the said Bill be referred to a Committee of the whole House, to-morrow.

On motion of Mr. *Boswell*, seconded by Mr. *Thorburn*,
The House adjourned.

Veneris 25^o die Junii;

Anno 5^o *Victoriae Reginae*, 1841.

A Petition of divers Inhabitants of the Parish of *St. Eustache*, was presented to the House by Mr. *Neilson*, and the same was received and read; setting forth:—That during the rebellion of 1837, Her Majesty's troops considered it necessary to destroy, by fire, among other edifices, the Parish Church and Convent of *St. Eustache*; that the band of unlawfully armed men who took possession of the village and brought on this catastrophe were, with very few exceptions, all from the adjacent Parishes—petitioners therefore consider it very hard that they should be so severely punished for the act of others, over which they had no controul. That an estimate of the value of the edifices destroyed was laid before the Commissioners appointed to investigate such claims, and the Government Appraiser subsequently examined the value of said buildings, but petitioners having obtained no relief, conclude the Report of the Commissioners to have been unfavorable.

Petition from divers Inhabitants of Saint Eustache praying relief from the burning of their Church.

That in consequence of the failure of the wheat crops for some years past, which has tended to impoverish the inhabitants, petitioners find

themselves unable, without Legislative aid, to rebuild the Temple in which they were in the habit of worshipping their God, and the Convent destined for the education of their children ; they therefore pray the House to take their petition into its favorable consideration.

Ordered—That the said Petition do lie upon the table.

A Petition of divers inhabitants of the late Province of *Lower Canada*, was presented to the House by Mr. *Neilson*, and the same was received and read, setting forth : (See Petition of Inhabitants of *Port Neuf*, Page 55.)

Mr. *Morin* presented to the House the Report of the Commissioner appointed to determine upon the sites of the Light Houses to be erected on *St. Pauls* and *Scattarie* Islands, and to apportion the money necessary for their future maintenance.

For the said Report, see Appendix (A.)

On motion of Mr. *Morris*, seconded by Mr. *Buchanan*,

Ordered—That the officers connected with the several chartered Banks of the Province be respectively directed to lay before this House the statement of the affairs of the said Banks as required by the Acts of Incorporation.

Mr. *Morris*, from the Standing Committee appointed to superintend the Printing of the House, during the Session, presented to the House the first Report of the said Committee ; which was again read at the Clerk's table, as followeth :—

“Your Committee beg leave to recommend to your Honourable House to adopt the Journals of the last Parliament of the late Province of *Upper Canada*, as model for the printing of the Journals of the Legislative Assembly of this Province.”

Resolved—That this House doth concur with the Committee in the said Report.

A Petition of the Members of the “Montreal Ladies' Benevolent Institution” was presented to the House by the Honourable Mr. *Moffatt*, and the same was received and read, setting forth :—That said Institution was originally established in the year 1832, at the City of *Montreal*, for the relief and support of the widows and orphans of sufferers from the Cholera which had raged in that City, and was afterwards extended to embrace all destitute and friendless widows and orphans.

That the Institution has been supported by voluntary contributions, assisted by the liberality of the Legislature, and has lately extended its sphere of usefulness by giving moral and religious instruction to dependents upon the charity.

That the advantages derived from the Institution would be greatly increased and confirmed by the incorporation of its members, with power to hold real property, to a limited amount.

Wherefore petitioners pray that a law may be passed to incorporate said society upon such terms and conditions as the House may be pleased to direct.

Ordered—That the said Petition do lie upon the table.

A Petition of divers Inhabitants of the Seignory of *Foucault*, was presented to the House by Mr. *De Salaberry*, and the same was received and read, setting forth :—That on the night of 30th December, 1838, (while some of petitioners were absent from home on military duty) a large body of rebels, refugees, and American bandits, under command of *Jas. W. Grogan*, a refugee, entered the Province from *Vermont*, at *Beach Ridge*, and driving several families from their beds, on that inclement night, destroyed by fire the dwellings of some of petitioners, with their contents

Petition divers inhabitants of Lower Canada, complaining of ordinances passed by special council.

Report on sites of Light houses to be erected on St. Paul's and Scattarie Islands, presented.

Bank statements to be laid before the House.

First report of printing committee presented.

Petition of the Montreal Ladies Benevolent Institution, praying to be incorporated.

Petition of divers inhabitants of the Seignory of Foucault, praying for relief from the destruction of their property by Rebels, Refugees, and American Bandits.

of furniture, clothing, and Provisions, together with their barns, stables, farm-sheds, and out buildings, and their contents, of grain, hay, cattle, &c.

That a few days afterwards the amount of losses was appraised on the spot, under oath, by Messrs. *Leclerc* and *Delisle*, of the *Montreal* Police, and the case was laid before the Commission of Indemnity, which however was dissolved for want of funds, without having reported on the claims of petitioners.

That petitioners, mostly having large families, are greatly impoverished by these losses, and therefore pray the House, with the concurrence of the others Branches of the Legislature, to grant them such relief as loyal British subjects who have suffered for their Country have ever expected and found at the hands of a Government every where honored for its justice and liberality.

Ordered—That the said petition do lie upon the table.

A petition of *Abraham Vosburgh*, *Peter Vosburgh*, and *Ann Vosburgh*, of *Caldwell* manor, in the District of *Montreal*, was presented to the House by Mr. *De Salaberry*, and the same was received and read; setting forth:—That on the morning of 3rd February, 1841, while yet dark, their house was surrounded and violently entered by a party of rebels and brigands from the *United States*, who, after dangerously wounding, with sabres and bayonets, the two first named petitioners, pillaged and set fire to the house, and burned the barns and sheds with their contents and a valuable stock of horses and farm cattle. That a full detail of the outrage was laid before the Commission of Indemnity from whom petitioners received repeated assurances of remuneration, which, however, from want of funds, was never made.

Petition of A. Vosburg and others praying same as last petition.

That the amount of losses sustained by petitioners as appraised and duly attested (exclusive of their long confinement and expense of medical attendance) was, £368 6s. 2d.; viz. *Abraham Vosburgh*, £299 13s. 2d.; *Peter Vosburgh*, £64 15s. 0d.; and *Ann Vosburgh*, £3 18s. 0d.

Petitions therefore pray the House, in concurrence with the other Branches of the Legislature, to grant them such indemnity as in their wisdom shall seem just.

Ordered—That the said Petition do lie upon the table.

A petition of divers Militiamen and other Inhabitants of the County of *Saguenay*, was presented to the House by Mr. *Parent*, and the same was received and read; setting forth:—That the population of the parishes inhabited by petitioners has increased beyond the number which the produce of the land can maintain.

Petition of divers Militiamen & others, of the County of Saguenay.

That the subdivision of these lands among the heirs of the original grantees (contrary to the spirit of the law of the Country, which condemns this pernicious system) is the cause of the common distress, because petitioners cannot form settlements upon the barren mountains which bound them on every side.

That the Legislature of the late Province of *Lower Canada*, caused the uncultivated lands called “the King’s Posts” to be explored by Commissions with the view of affording an outlet to the superabundant population of the County, and that favorable reports of the climate and soil thereof were made to the House of Assembly.

That petitioners have for a long time past been waiting for the expiration of the lease of the territory in question to the Hudson’s Bay Company, in order to petition that the lands may be granted, upon suitable terms, to themselves.

That during the last 3 or 4 years seven or eight hundred persons have been employed by certain mercantile houses in cutting timber on these lands for exportation, without having the power of permanently settling thereon.

That if these lands were thrown open to the agricultural population they would be sufficient for the maintenance of an immense number of persons, it having been ascertained that every kind of grain will readily grow there.

Petitioners, therefore, being anxious to settle in the neighbourhood of Shiuritimish, pray that at the expiration of the lease to the H. B. Compy. in 1842, it may not be renewed, but that the land be divided into townships, and sold as other Crown Lands, and that a number of petitioners as hold scrip be allowed to take lands there to the amount of it, and those who have no scrip be allowed to purchase.

Ordered—That the said petition do lie upon the table.

A further petition from the inhabitants of Saguenay, praying that the County may be exempted from the Ordinances respecting winter carriages and the erection of Court Houses.

A petition of divers Inhabitants of the County of Saguenay, was presented to the House by Mr. Parent, and the same was received and read; setting forth:—That the winter carriages, generally used in the said County to convey heavy loads are flat trains, which are less likely than others to form *cahots*.

That the communication with the upper parts of the Province in winter is very small, and principally confined to the conveyance of persons in carriages very lightly laden.

That the mountainous nature of the Country would render the use of carriages and harness different from those now used very inconvenient and even dangerous,—besides that being obliged to provide themselves with a new set of winter carriages would be a heavy burthen on the inhabitants, afflicted as they have recently been with several years of agricultural distress.

That from the isolated position of the County it must necessarily form, by itself, one of the Judicial Districts contemplated by the Ordinance passed in the fourth year of Her Majesty's Reign, relative to the administration of Justice,—and be subject to the operation of the Ordinance, passed in the same year, providing for the erection of a Court House and Gaol in each such District,—the expense of repairing and maintaining the same, and supporting the prisoners, with other incidental expenses, insuring and furnishing the buildings, and paying the salaries of a surgeon and gaoler, falling on each such District respectively.

That these expenses would be far too heavy for a County like that of Saguenay, containing a population of only 8385 souls, especially as this County is more exposed than any other to the effects of a rigorous climate, which frequently causes agricultural distress,—the mountainous nature of the Country also requiring a great amount of labor on the roads, to which may be added the increased expense of elementary schools in consequence of the distance between the dwellings and the difficulty of communication.

That the morality, for which the people of the County are remarkable, renders the above costly establishments unnecessary, and their surplus means would be much better employed in advancing Education and local improvements.

Wherefore petitioners humbly pray that the County of Saguenay may be exempted, at least for the present, from the operation of the said Ordinances, respecting winter carriages and the erection of Court Houses; and also that the House will take into consideration the subject of the "King's Posts" which formerly occupied the attention of the Assembly of Lower Canada, that a more advantageous outlet may be afforded for their superabundant population.

Ordered—That the said Petition do lie upon the table.

Further petition from the inhabitants of Saguenay praying that the parish of Les

A Petition of Michel Desgagnés, Joseph Perron, and other inhabitants of the county of Saguenay, was presented to the House by Mr. Parent, and the same was received and read; setting forth:—That the inhabitants

of said county were put to great inconvenience by having to travel from one extremity of the county to the other to exercise their electoral rights, the polling place having been fixed in the Parish of *St. Etienne de la Malbaie*.

Eboulemens may be established as the polling place for the County.

That the situation of the Parish of *Les Eboulemens* is more central, and being, not like *Malbaie* or *St. Paul's Bay*, the centre of a Commercial community, but inhabited by a purely agricultural population, tranquillity would be more readily preserved,—therefore petitioners pray that it may be established as the polling place for the county.

Ordered—That the said Petition do lie upon the table.

A Petition of the Masters and Owners of British Ships, trading to the Port of *Quebec*, and of the Pilots of the River *St. Lawrence*, was presented to the House by Mr. *Black*, and the same was received and read; setting forth:—That there is no spot on the *St. Lawrence* more appropriate (in their opinion) for the establishment of a Light House than the Island of *Bicquet*, as it frequently happens that vessels running up in a dark night give to that Island so wide a berth that the North Shore of *Portneuf* or *Mille Roches* brings them up. Vessels navigating the *St. Lawrence* being often at a loss, from the narrowness of the Channel and strength of the current, which course to steer to a place of safety, a light upon *Bicquet* Island would enable them to direct their course towards *Green Island*.

Petition of Masters and Owners of British Ships trading to the Port of *Quebec*, and of Sundry Pilots, praying for the erection of a Light House on the Island of *Bicquet*.

That to vessels bound downward in the Fall of the year this light would be very serviceable, enabling them, when caught by an Easterly wind to take shelter under this Island till morning.

Petitioners therefore pray that, in as much as this proposition is the result of practical experience, the House will pursue such measures in the case as in its wisdom may be deemed expedient.

Ordered—That the said Petition do lie upon the table.

A Petition of *Alphonse Wells*, Esq., was presented to the House by Mr. *Black*, and the same was received, and read; setting forth:—That at the late election for the county of *Shefford*, petitioner and Doctor *S. Sewell Foster*, were the only candidates.

Petition of *Alphonse Wells*, Esquire, complaining of late Election in the County of *Shefford*.

That during the course and progress of the said election the said *S. Sewell Foster* used divers illegal and unjustifiable means to obtain an apparent nominal majority, but that, in point of fact, petitioner obtained and had a considerable majority of legally qualified electors.

That in consequence of bribery, gifts, promises, and other corrupt inducements contrary to law, resorted to on the part of the said *S. Sewell Foster*, many persons were induced to, and did, vote for him at the said election.

That a large number of the persons who voted for the said *S. Sewell Foster*, at the said election, were not possessed of the requisite qualification in point of property to enable them so to vote, and in fact were wholly destitute of any real estate whatsoever in the said county.

That the said *S. Sewell Foster* himself is not qualified according to law, and did not before, at, during, or since the said election, hold or possess property, being unencumbered, with real estate, as required by the provisions of the Imperial Statute in such case made and provided; and that this fact being then, as it now is, notorious, the said *S. Sewell Foster* then was, and now is, incapable of being elected;—and petitioner prays the House to obtain a description of the property (if any) on which the said *S. Sewell Foster*, pretends to be qualified, relative to which petitioner alleges that he will, by the most ample and incontrovertible proof, establish that the said *S. Sewell Foster* was then, as he now is, incapable of being elected.

That on each of these grounds the said *S. Sewell Foster* could not be elected, and that the return of the Returning Officer whereby he has declared the said *S. Sewell Foster* duly elected, is consequently illegal and void.

Wherefore petitioner humbly prays that it may please this House to set aside and annul the said return of the said Returning Officer, as well as the return and election of the said *S. Sewell Foster*, and to declare that petitioner has been duly elected.

Ordered—That the said petition do lie upon the table.

The Honourable *J. H. Dunn*, Receiver General of the Province, and one of Her Majesty's Executive Council, laid before the House, by Command of His Excellency, the Governor General, a Schedule of Government Debentures, redeemed and out-standing, issued under authority of Acts of the Provincial Legislature, exhibiting the Public debt of United Canada.

For the said Schedule see Appendix (B.)

200 copies of Schedule of Debentures to be printed.

Ordered—That two hundred copies of the said schedule be printed, in the French and English Languages, for the use of the members of this House.

Sel Committee appointed to enquire and report on Clerk's Office.

Resolved—That a Committee of seven members be appointed to enquire what assistance it will be necessary to afford to the Clerk and what Officers and departments it will be expedient to establish for the effective and orderly conduct of the business of this House; what remuneration ought to be given to the officers and persons to be employed in the said offices, and departments; and what rules and regulations it may be desirable to adopt for their Government; that the said Committee be empowered to recommend by whom the offices which they may find necessary, should respectively be filled, and be instructed in so doing to take into consideration the claims abilities and fitness of the several officers and servants of the late House of Assembly of *Lower Canada* and of *Upper Canada*, who may be willing to enter the service of this House, and to report on the whole with all convenient speed; with power to send for persons, papers, and records.

Committee formed.

Ordered—That Sir *Allan MacNab*, Mr. *Morin*, Mr. *Small*, Mr. *Taschereau*, the Honourable Mr. *Dunn*, M. *Durand*, and Mr. *Black*, do compose the said Committee.

House will adjourn until Monday when it adjourns.

Mr. *Simpson* moved, seconded by Sir *Allan MacNab*, that when this House doth adjourn, it will adjourn until *Monday* next.

The question having been put upon the said motion, a division ensued, and it was carried in the affirmative and ordered accordingly.

Petition of P. V. Verhoeff, and others, referred to Sel. Committee.

Resolved—That the petition of *P. Frederick Verhoeff*, *Lewis Davenport* and others, presented to the House on the eighteenth instant, be referred to a Committee of five members, to examine the contents thereof, and to report thereon, with all convenient speed; with power to send for persons, papers, and records.

Committee formed.

Ordered—That Mr. *Prince*, Mr. *Baldwin*, Mr. Attorney General *Ogden*, Mr. *Boswell*, and Mr. *Thorburn*, do compose the said committee.

Petition of John C. Moulton referred.

Ordered—That the petition of *John C. Moulton*, of the Township of *York*, presented to the House on the *Twenty-first* instant, be referred to the said Committee.

List of Standing and Select Committees to be put up.

Ordered—That the Clerk of this House be required to cause to be placed in some conspicuous place within this House a list of the several Standing and Select Committees, as appointed from time to time.

A Petition of the Auxiliary Bible Society, of *Montreal*, was presented to the House by Mr. *Holmes*, and the same was received and read; setting forth:—That said society was instituted in 1819, as an Auxiliary to the British and Foreign Bible Society in *London*, and has, since that time, been occupied in extensively circulating the Scriptures throughout *Lower Canada*, chiefly among the poorer classes, at a considerable pecuniary loss, which has partly been sustained by voluntary contributions and partly by the British and Foreign Bible Society.

Petition from Bible Society of Montreal.

That the Society has been considerably aided by the remission, hitherto, of the duties on the books imported by them; but that this aid has latterly been refused, on the ground of the inability of the Governor General to grant it, the Society being recommended, at the same time to apply to the Legislature.

Wherefore petitioners pray that the above immunity may be continued to said Society, and a law be passed to exempt from duties all Bibles and Testaments imported into the Province, as is the case in *Nova Scotia* and *New Brunswick*;—and petitioners state further that the British and Foreign Bible Society in *London* has the privilege of importing all copies of the Scriptures free of duty. They also pray that the duties paid by them during the past year may be returned, as an essential service would thereby be rendered to the said Society.

Ordered—That the said petition do lie upon the table.

The order of the day for the House to proceed to the Ballot of Members for a Committee to nominate the Standing Committees of this House, being read,

Mr Attorney General *Ogden* moved, seconded by Mr. *Simpson*, that the said order of the day be discharged.

The question having been put upon the said motion, the House divided thereon, and the names being called for, they were taken down as followeth:—

Order of the day for balloting a Committee to nominate Standing Committees, discharged.

YEAS.

<i>Baldwin,</i>	<i>De Salaberry,</i>	<i>Killaly, Hon. H.H.</i>	<i>Roblin,</i>
<i>Boswell,</i>	<i>Draper, Hon. W.H.</i>	<i>McDonald, (Pres.)</i>	<i>Simpson,</i>
<i>Buchanan,</i>	<i>Dunn, Hon. J. H.</i>	<i>MacNab, Sir A.N.</i>	<i>Small,</i>
<i>Cameron,</i>	<i>Dunscomb,</i>	<i>Merritt,</i>	<i>Smith, (Fron.)</i>
<i>Campbell,</i>	<i>Duggan,</i>	<i>Moore,</i>	<i>Smith, (Went.)</i>
<i>Child,</i>	<i>Foster,</i>	<i>Morris,</i>	<i>Steele,</i>
<i>Cook,</i>	<i>Gilchrist,</i>	<i>Ogden, Hon. C. R.</i>	<i>Taschereau,</i>
<i>Crane,</i>	<i>Hincks,</i>	<i>Powell,</i>	<i>Thompson,</i>
<i>Daly, Hon. D.</i>	<i>Holmes,</i>	<i>Price,</i>	<i>Thorburn,</i>
<i>Day, Hon. C.D.</i>	<i>Hopkins,</i>	<i>Prince,</i>	<i>Watts,</i>
<i>Derbshire,</i>	<i>Johnston,</i>	<i>Robertson</i>	<i>Williams.—44.</i>

NOES.

<i>Armstrong,</i>	<i>Cartwright,</i>	<i>Morin,</i>	<i>Sherwood,</i>
<i>Aylwin,</i>	<i>Christie,</i>	<i>Neilson,</i>	<i>Strachan,</i>
<i>Barthe,</i>	<i>Durand,</i>	<i>Noel,</i>	<i>Turcotte,</i>
<i>Berthelot,</i>	<i>Hale,</i>	<i>Parent,</i>	<i>Viger, Hon. D.B.</i>
<i>Black,</i>	<i>McLean,</i>	<i>Raymond,</i>	<i>Woods,</i>
<i>Boutillier,</i>	<i>Moffatt, Hon. G.</i>	<i>Ruel,</i>	<i>Yule.—25</i>
<i>Burnet,</i>			

So it was carried in the affirmative, and
Ordered accordingly.

Gwillimbury, Road & Bridge Bill read a second time.

A Bill to amend an Act of that part of the Province, formerly called *Upper Canada*, intituled, "*An Act to provide for the making and keeping in repair the West Gwillimbury Road and Bridge, and to authorise the erection of a Toll Gate thereon*" was, according to order, read a second time.

Ordered—That the said Bill be referred to a Committee of the whole House, on *Monday* next.

Order of day for Committee of whole House on Lower Canada contested Elections postponed

The Order of the day for the House in Committee, to consider the order adopted, by the late House of Assembly of *Lower Canada*, for regulating its proceeding, in cases of contested Elections, in that Province, being read,

Ordered—That the said Order of the day be postponed until *Monday* next.

House in Committee on Heir and Devisee Commission Bill

The Order of the day for the House in Committee on the Engrossed Bill from the Legislative Council, intituled "*An Act to alter for a limited period the place of sitting of the Heir and Devisee Commission, of the late Province of Upper Canada, and for other purposes therein mentioned*." being read,

The House accordingly resolved itself into the said Committee.

Mr. *Christie* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair, and Mr. *Christie* reported that the Committee had gone through the Bill, and had directed him to report the same, without any amendment.

Ordered—That the said Bill be now read, for the third time.

The said Bill was accordingly read, for the third time.

Resolved—That the said Bill do pass.

Heir and Devisee Commission Bill passed.

Ordered—That Mr. Attorney General *Draper* do carry back the said Bill to the Legislative Council, and acquaint their honours that this House have passed the same without any amendment.

Then on motion of Mr. Attorney General *Draper*, seconded by Mr. Solicitor General *Day*,

The House adjourned.

Luna, 28^o die Junii;

Anno 5^o Victoriae Reginae, 1841.

Ordered—That when this House doth adjourn, it will adjourn until *Wednesday* next, at ten o'clock, A. M.

Petition of Louis Michel Viger, Esq., complaining of the late Election for the county of Chambly.

A Petition of *Louis Michel Viger*, Esquire, of the City of *Montreal*, was presented to the House by Mr. *Neilson*, and the same was received and read; setting forth:—That on *Monday*, the *twenty-second* day of the month of *March* last, at *St. John's* in the county of *Chambly*, an election took place for the purpose of electing a member to represent the said county in the Legislative Assembly of the Province.

That of the candidates, one was *John Yule*, of the parish of *Chambly*, Esquire, and Petitioner was the other, and *Augustus Delisle*, of the parish of *Boucherville*, discharged the duties of Returning Officer.

That the said election was opened at *St. John's*, a place which had been chosen as that of the Poll, but which, far from being a central one,

is situated at one of the extremities of the county, the selection of which could be attended with no other result but that of subjecting the majority of the electors of the county to inconveniencies the most grave.

That, on the first day of the election, when the Returning Officer requested the electors, then present, to name the person whom they were willing to appoint as a member to serve in the said Assembly, the great majority of the said electors, on the show of hands, declared themselves in favor of the undersigned; upon which a poll was asked for by the partisans of the said *John Yule*, and was granted by the Returning Officer, who began to take in and register the votes of the electors.

That, on the very first day, Petitioner had already a majority of fifty-five votes over his antagonist, when the Returning Officer was compelled to adjourn the poll, in consequence of the violence and the outrages committed by the said *John Yule's* partisans, who, being in a state of inebriation, commenced assailing the partisans of Petitioner, at a moment when these were engaged in peaceably giving their suffrages to Petitioner.

That the said *John Yule's* partisans were armed with clubs and other offensive weapons, of which they made use to illtreat Petitioner's partisans, and committed acts so outrageous that the Returning Officer was obliged to stop the poll, and found that it was necessary to adopt efficient measures, such as the having at his disposal a sufficient force to enable him to continue the said election, and protect the lives of Her Majesty's subjects, jeopardized in consequence of the acts of violence and outrages committed by the partisans of the said *John Yule*; that the said Returning Officer even repeatedly promised to the electors, that he would, on the day following, have a sufficient force at his disposal to maintain order.

That, on the next day, the said Returning Officer, not having procured or not being able to procure the support and assistance of which he himself had acknowledged the necessity to protect the electors of Petitioner, the said *John Yule's* partisans, in the view of preventing all and every the electors favorable to Petitioner, from having any access to the Poll, and their inscribe there votes, did obstruct or cause to be obstructed, by means of bullies, armed with clubs and other offensive weapons, all the public roads leading from the different parts of the county of *Chambly*, to the place of the poll, and thus forcibly, and with violence, did keep Petitioner's partisans away from the place of the poll.

That on the *twenty-third* day of *March*, last, (being the second day of the election) owing to the illegal and violent practices, on the part of the said *John Yule's* partisans, they became absolute masters of the poll, and they alone were enabled to give in their votes, by which means a slight majority of ten votes was on that day secured to the said *John Yule*.

That, on this same day, it was with great difficulty that a few only of petitioner's electors could succeed in reaching the place of the poll, and then they were menaced with violence if they persisted in their wish to vote for petitioner.

That Petitioner finding himself deprived of the means of communicating with his electors, and of demanding the adjournment of the poll, as he had a right so to do, on being assisted but by three of his electors, the said *John Yule* of this did take advantage and cause a proclamation, for the purpose of bringing the said election to a close, so that he might be proclaimed elected, in the event of petitioner's not producing any vote during the space of a hour; a vote which it was impossible for him to produce, owing to the distance at which his electors were forcibly kept away from the place of the poll, and the menaces held out to the very few, who could reach it; upon which the election was declared to be closed, and the said *John Yule* was illegally proclaimed elected.

Petition of Louis Michel Viger, Esq., complaining of the late Election for the county of Chambly.

Petitioner doth further aver, that previous to and pending the said Election, the said *John Yule*, and his partisans, did open or cause to be opened, and did support, a great number of houses of public entertainment, within the limits of the said county, and namely at *St. John's* aforesaid where the said poll was held ; that moreover, the said *John Yule*, and his partisans, had recourse to divers means of corruption, to procure votes for him.

That Petitioner had protested against all and every return that might be made in the behalf of the said *John Yule* Esquire, as appears by his protest dated the *twenty-fifth* of *March* last,

For these reasons, Petitioner prays this House to take this, his petition, into their serious consideration, and declare the Election aforesaid illegal and null, as also the proclamation made by the said Returning Officer of the person, of the said *John Yule*, to represent the electors of the county of *Chambly* in the Legislative Assembly of the Province of *Canada*.

Ordered—That the said petition do lie upon the table.

Petition of divers electors of the county of *Chambly* complaining of the election for said county.

A Petition of divers Electors of the County of *Chambly* was presented to the House by Mr. *Neilson*, and the same was received and read ; setting forth:—That on *Monday* the *twenty-second* day of *March* last, at *St John's*. in the county of *Chambly*, an election took place for the purpose of electing a member to represent the said county in the Legislative Assembly of the Province.

That *Louis Michel Viger*, of the City of *Montreal*, Esquire, was one of the candidates, and *John Yule*, of the parish of *Chambly*, Esquire, was the other ; and *Auguste Delisle*, of the parish of *Boucherville*, Esquire, fulfilled the duties of Returning Officer.

That the above mentioned election was opened at *St. John's* ; which place had been appointed for the holding of the poll, but which, far from being a central one, is situated at one of the extremities of the county, the selecting of which could be attended with no other result, but that of subjecting the majority of the electors of the county to the most serious inconveniences.

That on the first day of the election, when the said Returning Officer requested the electors, then present, to name the person whom they were willing to select as a member to serve in the said Assembly, the great majority of the said electors declared themselves, on a show of hands, in favor of the said *Louis Michel Viger* ; upon which a poll was asked for, by the partisans of the said *John Yule*, and was granted by the said Returning Officer, who began to take in and register the votes of the electors.

That, on the very first day, the said *Louis Michel Viger* had, already, a majority of fifty-five votes above his antagonist, when the Returning Officer was compelled to adjourn the poll, in consequence of the violence and the outrages that were committed by the said *John Yule's* partisans, who, being in a state of intoxication, began to assail the partisans of the said *Louis Michel Viger*, at a time when they were engaged peaceably in giving their suffrages in favor of the said *Louis Michel Viger*.

That the partisans of the said *John Yule* were armed with clubs and other offensive weapons, which they used to illtreat the partisans of the other candidate, and committed such violence that the Returning Officer was obliged to stop the poll, and acknowledged the necessity of adopting efficient measures, such as the having at his disposal a sufficient force to enable him to continue the said election, and protect the lives of Her Majesty's subjects, endangered in consequence of the acts of violence and outrages that were committed by the said *John Yule's* partisans : that the

said Returning Officer even repeatedly promised to the electors that on the day following he would have a sufficient force at his disposal to maintain order.

Petition of divers electors of the county of Chambly, complaining of the election for said county.

That, on the next day the said Returning Officer, not having procured, or being unable to procure, the support and assistance of which he himself had acknowledged the necessity of to protect the electors of the said *Louis Michel Viger*, the said *John Yule's* partisans, with a view to prevent all the electors in favor of the said *Louis Michel Viger*, from having access to the poll and there inscribe their votes, did obstruct, or cause to be obstructed, by means of bullies, armed with sticks and other offensive weapons, all the public roads that lead from the different parts of the county of *Chambly* to the place of the poll; and thus, forcibly and with violence, did keep away from the place of the poll the partisans of the said *Louis Michel Viger*.

That on the *twenty-third* day of *March*, last, being the second day of the election, in consequence of the unlawful and violent practices, on the part of the said *John Yule's* partisans, the latter became absolute masters of the poll, and they alone were enabled to give in their votes, by which means a slight majority of ten votes were, on that day, secured to the said *John Yule*.

That, on this same day, it was but with difficulty, that a few of the electors of the said *Louis Michel Viger* could succeed in reaching the place of the poll, and then they were menaced with violence if they persisted in their wish to vote for him.

That the said *Louis Michel Viger*, finding himself deprived of every means of communicating with his electors, and of demanding the adjournment of the poll, as he had a right so to do, if he could but be assisted by three of his Electors, the said *John Yule* of this did take advantage and cause a proclamation for the purpose of bringing the said election to a close, in order to be proclaimed elected, in the event of the said *Louis Michel Viger's* not producing any vote during the space of an hour; a vote which it was impossible for him to produce, owing to the disturbance at which his electors were forcibly kept away from the place of the poll, and the threats held out to the very few who could reach it, upon which the election was declared to be closed and the said *John Yule* was illegally proclaimed elected.

Petitioners do further aver that, even before, and during the election, the said *John Yule*, and his partisans, opened, or caused to be opened, and did support, a great number of houses of public entertainment, within the limits of the said county, namely at *St. John's* aforesaid, where the said poll was held; that moreover the said *John Yule*, and his partisans, had recourse to divers means of corruption to procure votes for him.

For these reasons Petitioners pray this House to take this their Petition into their serious consideration and declare null and illegal the above mentioned election, as well as the proclamation made by the said Returning Officer of the person of the said *John Yule* to represent the electors of the county of *Chambly* in the Legislative Assembly of the Province of *Canada*.

And Petitioners pray this House to please to adopt such measures, as in their wisdom they may think proper, as will prevent a recurrence of similar acts of violence; and enable Petitioners to exercise their elective franchise, without being exposed to become the victims of outrages of such a nature as those which they complain of in this their present petition.

Petitioners further earnestly represent, to this House, the necessity of immediately making an enquiry with regard to the acts of violence and disgraceful scenes that have occurred at several of the elections, in the District of *Montreal*, to the end that this House may be enabled to adopt

such measures as their wisdom shall suggest, and such as may become necessary in consequence of the said enquiry.

Ordered—That the said petition do lie upon the table.

Petition of P. B. Smith, praying to be naturalized.

A Petition of *Benjamin Peabody Smith*, of the township of *Kitley*, was presented to the House by Mr. *Morris*; and the same was received and read; setting forth:—That Petitioner immigrated into this Province, six years ago, from the *United States of America*, and has since acquired a pretty handsome property;—That he is much pleased with the Laws, Government, and Institutions of this Province, in which he would fain end his days, and settle permanently his family of eight children;—he therefore prays for the enactment of a law to confer on him all the rights, immunities, and privileges of a natural Born subject.

Ordered—That the said petition do lie upon the table.

Petition from Commercial Bank of Midland District praying for increase of capital

A petition of the President, Directors and Stockholders, of the Commercial Bank of the *Midland* District, was presented to the House by Mr. *Morris*, and the same was received and read; setting forth:—That, in consequence of the increasing trade of the upper part of this Province, applications are constantly made to said institution for greater Bank accommodation than its limited capital will enable it to afford.

That the late Legislature of *Upper Canada*, were of opinion that the extension of the capital of the chartered Banks would best encourage the importation of capital, and accommodate the agriculturist and the Merchant.

That petitioners appeal with confidence to the public as to the honourable and correct management of affairs of said Institution, and feeling satisfied that an increase of its capital would be of increased benefit to the Province, pray for such an extension of its capital stock as would be sufficient to meet the growing wants of the colony.

Ordered—That the said petition do lie upon the table.

Petition from the people, called Mennonites and Tunkers, complaining of the militia laws.

A petition of the people called *Mennonites* and *Tunkers* was presented to the House by Mr. *Durand*, and the same was received and read; setting forth:—That the militia laws of this Province, bear heavily on the said sects, burthening them, in times of profound peace, with a Tax of one pound for every individual capable of bearing arms, their conscientious scruples preventing them from complying with the provisions of the laws requiring them to learn and practise the Art of war.

That in times of actual war, they have never murmured at paying exempt money, and have rendered, at the same time, important services by raising the necessaries of life, teaming, &c.—

Petitioners therefore pray that the militia laws may be so altered as to relieve the said *Mennonites* and *Tunkers* from the pressure of the said tax, or to cause the same to be exacted in labor on the roads, and bridges, within the townships where they may reside.

Ordered—That the said petition do lie upon the table.

Petition of B. Pinguet praying for relief.

A petition of *Louis B. Pinguet*, of the City of *Quebec*, was presented to the House by Mr. *Neilson*, and the same was received and read; setting forth:—That Petitioner was for 35 years in the service of the late House of Assembly of *Lower Canada*, viz. from 1805 to 1835 as a writer, and from thence till the suspension of the Constitution as Clerk of Committees, at a salary of £100 per annum, on which he was wholly dependent for support.

That about four years back Petitioner became subject to a weakness of sight, which has continued increasing until he is now scarcely able to write by daylight, and quite unable to do so by candle light,—in consequence of which he is reduced to great distress, and feels himself chiefly

dependent for future support on the expectations he humbly trusts he may reasonably entertain for his long and faithful services.

Wherefore Petitioner earnestly prays the House to consider his advanced age and passed services and grant him such relief as may appear just and expedient.

Ordered—That the said Petition be referred to the Committee appointed to inquire what assistance it will be necessary to afford to the Clerk, and what offices and departments it will be expedient to establish for the effective and orderly conduct of the business of this House.

A Petition of *Henry Sherwood, Esq.*, of the City of *Toronto*, was presented to the House by Sir *Ailan McNab*, and the same was received, and read; setting forth:—That Petitioner was a Candidate at the last election for a member to serve in this Parliament in and for the City of *Toronto*, in that part of the province of *Canada* called *Upper Canada*.

Petition of Henry Sherwood, Esquire, of the City of Toronto complaining of the return of Messrs. Dunn and Buchanan.

That, at the said election, Petitioner was duly proposed and nominated, and had recorded on the Poll Book in his favour upwards of four hundred votes;—that at the close of the Poll the Returning Officer, *Robert Stanton*, Esquire, declared the Honourable *John Henry Dunn* and *Isaac Buchanan*, Esquire, who were also candidates at the said election, duly elected, as having a majority of votes;—that certain electors of the said City protested against the said Return, in writing, for the reasons set forth, to which Petitioner begs leave to refer this Honourable House.

Petitioner further begs leave to represent to this Honourable House that the return of the said *John Henry Dunn* and *Isaac Buchanan* should be set aside as being illegal and void, and a new election ordered, or that Petitioner and *George Munroe*, Esquire, who was also a candidate at the said election, should be declared duly elected instead of the said *John Henry Dunn* and *Isaac Buchanan*, for the following reasons:—

1st.—That the said *John Henry Dunn* and *Isaac Buchanan*, or their agents or friends, did after the teste of the writ for the said election, offer and give to various persons having voices at the said election divers sums of money and other rewards, as an inducement for them to vote for the said *John Henry Dunn* and *Isaac Buchanan* at the said election, and that after the said teste various Public Houses or Inns were kept open at the expense of the said *John Henry Dunn* and *Isaac Buchanan*, or their friends, at which meat and drink were given to persons having a right to vote at the said election, as an inducement for them to vote for the said *John Henry Dunn* and *Isaac Buchanan*;—that several Inn-keepers who had declared their determination to vote for Petitioner and the said *George Munroe* were told by the said *John Henry Dunn* and *Isaac Buchanan*, or their agents, that if they would vote for the said *John Henry Dunn* and *Isaac Buchanan* that they should receive a large sum of money each day of the election to keep open houses, and which sums of money were afterwards paid by the said *John Henry Dunn* and *Isaac Buchanan*, and that various other acts, having for their object a direct interference with the freedom of the election, were committed by the said *John Henry Dunn* and *Isaac Buchanan*, or their agents and friends.

Petitioner begs further to represent that intimidation and an undue influence was exercised over persons holding situations under the Government, and Clerks in the Public Departments, to compel them to vote for the said *John Henry Dunn* and *Isaac Buchanan*, and that during the last two days of the election upwards of thirty-five individuals holding situations under the Government, many of whom declared, up to the hour at which they voted, their opposition to the said *John Henry Dunn* and *Isaac Buchanan*, recorded their votes in their favor, and the majority which the said *Isaac Buchanan*, had over Petitioner was only twenty-five,

Petitioner therefore humbly prays that this Honourable House will take into consideration the several matters and things herein before stated ; and that the said *John Henry Dunn* and *Isaac Buchanan* may be declared not duly elected or returned ; and that Petitioner and the said *George Munroe* may be declared duly elected to serve in this Parliament for the said City of *Toronto*, and their names substituted in the Return for the said City ;—or that the election and return of the said *John Henry Dunn* and *Isaac Buchanan* may be declared to be null and void, and that the House may make such order, and give such further relief in the premises, for securing the freedom of election in the said City, as to this Honourable House shall seem fit.

On Motion of Sir *Allan MacNab* seconded by Mr. *Aylwin*.

Petition of Henry Sherwood, Esquire, to be considered on the 15th day of July next.

Ordered—That the Petition of *Henry Sherwood* Esquire, complaining of the undue election and return of the Honourable *John Henry Dunn* and *Isaac Buchanan*, Esquire, be taken into consideration by this House, on the fifteenth day of *July* next, at the hour of three o'clock, P. M. and that notice, to that effect, in writing, be forthwith given by the Speaker to the Petitioner and the sitting Members, according to the provision of the second clause of an Act passed by the Parliament of *Upper Canada*, during the fourth year of the Reign of His late Majesty *GEORGE* the IV. Chap. IV.

Petition of James Mathewson, complaining of the election of *Henry Smith*, Esq. for the County of *Frontenac*.

A Petition of *James Mathewson*, of the Township of *Pittsburg*, was presented to the House by Mr. *Johnston*, and the same was received and read ; setting forth:—That at the election of a Member to serve in the Legislative Assembly of this Province, for the county of *Frontenac*, held at the Town of *Kingston*, on the eighth day of *March* last, Petitioner and *Henry Smith*, Esquire, were respectively proposed as candidates to represent said County of *Frontenac*, and *Thomas Kirkpatrick*, Esquire, acted as Returning Officer, and presided at the said Election.

That the said *Henry Smith*, by means of bribes, treats, rewards, or favors, or promises of bribes, treats, rewards, or favors paid, given, or offered, or promised to be paid or given by himself or by others as his friends, agents, Committee, or supporters, to divers freeholders and electors of said County, and by threats and other illegal and corrupt acts induced certain of such electors to tender their votes at the said Election for him the said *Henry Smith*, and the said *Thomas Kirkpatrick* admitted the votes of such electors for the said *Henry Smith*.

That the said *Henry Smith*, by reason of such bribes, treats, favors, or promises thereof, and by the said threats and intimidation and other corrupt and illegal conduct, became, and was, and is, disqualified from sitting in this present Parliament as a Member of the Legislative Assembly, and ought not to have been returned as the Member for the said County at the late election.

That during the said election the said *Thomas Kirkpatrick*, conducted himself, as such Returning Officer, in an arbitrary, partial, and illegal manner, and refused to admit divers freeholders and voters to register their votes in favor of Petitioner ; and arbitrarily, illegally, unjustly, and contrary to the usage and practice at elections in this Province, and contrary to law, refused to allow Petitioner the benefit of a Counsel, Scrutineer, or Inspector, at the poll during said election ; and the said *Thomas Kirkpatrick*, by so refusing to allow such voters to vote as aforesaid for Petitioner, and by his illegal, partial, and over bearing conduct in not permitting Petitioner to have the benefit of his Counsel, scrutineer, or inspector, induced Petitioner to relinquish the contest when many votes remained unpolled, and the said *Thomas Kirkpatrick* returned the said *Henry Smith* as duly elected, although the said *Henry Smith* was and is

disqualified as aforesaid from sitting in the said Legislative Assembly, and the majority on the poll in favor of the said *Henry Smith* was only collusive and colourable, and the said *James Mathewson* was and is entitled to the majority of the good and legal votes and would have been returned and duly elected for the said County but for the illegal and improper conduct aforesaid.

Petitioner therefore humbly prays this Honourable House to inquire into the merits of the said election and the conduct of the said *Henry Smith*, and *Thomas Kirkpatrick* in regard thereto, and to relieve Petitioner either by requiring the said *Thomas Kirkpatrick* to amend the return made by him, of the said *Henry Smith*, by inserting the name of Petitioner, in such return in place of said *Henry Smith*, disqualified as aforesaid, by reason of such bribery and other corrupt and illegal conduct as aforesaid, and by the illegal and improper conduct of the said *Thomas Kirkpatrick* as above mentioned, or to cause a new writ to issue for the election of a fit and proper person to represent said County in the place of said *Henry Smith*.

Petitioner craving permission to offer evidence in support of the allegations aforesaid before a Committee of this Honourable House to be appointed to try the merits of the said Election.

Ordered—That the said Petition do lie upon the table.

A Petition of divers electors of the Second Riding of the County of *York*, was presented to the House by Mr. *Baldwin*, and the same was received and read; setting forth:—That at the last election holden in and for the second Riding of the county of *York*, *George Duggan*, Jun., Esq., *Connell J. Baldwin*, Esq., *William Thompson*, Esq., and *Edward Thomson*, Esq. were Candidates, and the election commenced on *Monday*, the eighth day of *March*, last; that on *Tuesday* the ninth of *March*, *William Thompson*, Esq. retired; that on *Wednesday* morning the tenth, *Edward Thomson*, Esq. retired; that on the evening of the said day the said *Connell J. Baldwin*, Esq. retired after protesting against the violence of the party supporting said *George Duggan*; that notwithstanding such protest the Returning Officer *John Hector*, Esq., returned the said *George Duggan*, Jun., Esq. as duly elected.

Petition from second Riding *York*, complaining of the election of *Geo. Duggan*, Esq.

That in the opinion of Petitioners the following are among the grounds for this protest:—

That the said *Connell J. Baldwin*'s supporters were from time to time during the said election forcibly driven out of the village of *Streetsville* where the election was held.

That immediately before the said *Connell J. Baldwin* retired and protested as aforesaid, between sixty and one hundred of his supporters were present at the Hustings and in the said village ready to vote for him but were prevented from so doing by the violence, threats and intimidation made use of by the supporters of the sitting member *George Duggan*, and that these supporters of the said *George Duggan* were principally reputed members of the Orange Society.

That certain Magistrates at or near the Hustings during such election were called upon to suppress a violent riot commenced by said sitting member's supporters, but that the said Magistrates declined interfering.

That with a view to maintain peace and good order it was suggested that twenty special constables should be appointed; that only seven were sworn in, five of whom were reputed to be Orangemen.

That electors who intended to vote for the said *Connell J. Baldwin*, and who were attending at *Streetsville* aforesaid were followed to their lodgings in *Streetsville*, and there assailed by the supporters of the said *George Duggan*, and that in consequence thereof they were prevented or deterred from giving their votes to the said *Connell J. Baldwin*, and were forcibly driven out of *Streetsville*, where the said election was held.

That ——— *M. Intyre*, of *Chinguacousy*, in said Riding, an elector in favour of said *Connell J. Baldwin*, was on said *Wednesday* the last day of said Election, with several others, attacked by the said supporters of the said *George Duggan* in a house near the hustings and dreadfully beaten— that apprehensive that his life was in danger he determined upon returning home without voting; that when in the sleigh he was again assailed by the said party and severely beaten, making his escape with much difficulty.

That besides the outrageous violence and intimidation of said *George Duggan's* party, Petitioners conceive that there is another ground for protesting against the return of the said *George Duggan*, namely, that there are many persons whose names are entered in the poll book in favor of the sitting member who had no votes.

Petitioners further beg to state that, in their opinion, had proper and efficient means been adopted to secure the peace and protect the electors in the exercise of their right of suffrage, the said *George Duggan* would not have been returned to represent the said second Riding, as a very large proportion of the electors have not voted and were and are opposed to his return as their representative.

Petitioners humbly pray that this House will cause the premises to be enquired into and if proved to their satisfaction that they will cause the said Return of said *George Duggan* to be set aside, and that this House will order a new election and adopt such measures as will ensure the peaceable and quiet enjoyment of the elective franchise, without the peaceable electors being put in fear of life or of bodily injury.

Ordered—That the said Petition do lie upon the table.

Petition of Connell J. Baldwin, Esq. complaining of the late election for the second Riding of the County of York.

A Petition of *Connell James Baldwin*, Esquire, was presented to the House by *Mr. Baldwin*, and the same was received and read; setting forth:—That according to previous notice given an election for a Member to represent the 2nd Riding of York, in the Parliament, was held in the village of *Streetsville*, in the said 2nd Riding, on *Monday* the eighth of *March* last, and the two subsequent days.

That the candidates were: *George Duggan, Jr.*, Esquire, of the City of *Toronto*, *Connell James Baldwin*, *Wm. Thompson*, *Edward Thomson*, and *John Carey*, Esquires, of the said Riding; that after his address on the first day *Mr. Carey* did not appear; that on *Tuesday*, the ninth *March*, *Wm. Thompson*, Esquire, retired; that on *Wednesday* morning, *Edward Thomson*, Esquire, retired; that on the evening of the same day, Petitioner retired, having first protested against the election, in consequence of violent attacks by *Mr. Duggan's* party, armed with bludgeons, on his supporters, by which they were prevented from recording their votes; that notwithstanding this, the Returning Officer declared *Mr. Duggan* duly elected, as having the greater number of votes.

That Petitioner's supporters were, from time to time, during the election, severely beaten, driven out of the Town, and prevented from recording their votes, by bands of ruffians armed with bludgeons, many of them not being freeholders of the Riding, but, in a great proportion, strangers from a different part of the country, many of them known to be orange-men, who could have no other object in coming into, and remaining in the village but to terrify and prevent Petitioner's supporters from recording their votes, thus to ensure the return of *Mr. Duggan*, who, in his opening address, proclaimed himself an orange-man! which he did, Petitioner believes, for no other purpose than to ensure the support of that body from the highest to the lowest, and which support was afforded him, as well by legal and illegal votes, as by intimidation of every kind, and the most lawless and outrageous aggression.

That on *Tuesday* morning, *Mr. Duggan* having hoisted a flag near his

quarters, and which was never interfered with, some of Petitioner's friends in the act of hoisting a flag at his quarters, within 30 to 40 yards of the hustings, were attacked by a set of the bludgeon supporters of *Mr. Duggan*, the flag pulled down and trampled upon in the mud, Petitioner's friends pursued into the tavern and obliged to conceal themselves, the flag again seized, torn, and a piece of it thrown at Petitioner whilst attending to the election in the hustings, which struck *Mr. Galt*, the Clerk of the poll. Others, not able to escape, were beaten with clubs.

That such was the disposition of the mob in front of the hustings, mostly all composed of *Mr. Duggan's* friends, as Petitioner's friends left the village for their homes as soon as they succeeded in giving their votes, for fear of abuse, and many had been severely beaten for having voted for Petitioner, *Mr. Duggan* found it necessary to address them two or three times to be peaceable, to which they paid some attention, considering that a riot immediately at the hustings would upset the election, whilst it was supposed that aggressions and attacks, not exactly there, would not affect it.

That a respectable medical practitioner, who witnessed the tearing down of Petitioner's flag, and subsequent attack, from which he feared loss of life would accrue, applied to three different magistrates, but they declined to interfere, stating that they could do nothing with such fellows.

That besides the attacks alluded to, threats of injury, as well as apparently friendly advice, were used, not only at the hustings and in the village, but all over the Riding, by *Mr. Duggan's* friends, to intimidate and prevent Petitioner's supporters from voting.

That on the morning of Wednesday, the 10th of March, a band of bludgeon men opened the door of the room within from 30 to 40 yards of the hustings, where some of Petitioner's supporters were taking breakfast, and desired them, in a most threatening manner, to fill themselves well, for that it should be the last meal they should eat there.

That during the whole of this day, the denunciations and violence of those ruffians increased till 2 to 4 o'clock in the afternoon, when a band of them broke into the aforesaid room, attacked a number of Petitioner's supporters when peaceably at dinner, who had voted or intended to vote for him; smashed chairs, tables and glasses; beat and forced those persons to break and escape through the windows and to conceal themselves, and one in particular, who came to vote, whilst trying to escape in his sleigh, was ferociously beaten after he got into it, and, probably, owed his life to the swiftness of his horses, and was unable to record his vote.

That in consequence of this last attack, the owner of the house sent Petitioner word, that if he did not close the poll she must close her house against him and his party, as she was afraid it would be torn down about her.

That on this, and the above outrageous assault, being reported to the Petitioner in the Hustings, he saw there could be no hope that his supporters, the great body of whom intended, and were preparing, to come in on the three following days, could be induced to come forward, as before the election a great degree of terror existed in the *Riding* amongst his friends, being afraid of abuse and outrage from the orange-men, should they come forward to vote for Petitioner: nor would they have consented to do so, a vast proportion of them being respectable, quiet and religious people, averse to contention, and unwilling to risk their lives by coming in contact with a set of ruffians, who, at former elections, and at public meetings, were in the habit of attacking, assaulting and ill treating them, had they not been encouraged to hope for peace and safety by the orders addressed to Sheriffs, Magistrates, &c., by His Excellency the Governor General, about that time.

Petition of Connell James Baldwin, Esq., complaining of the late election for the 2nd Riding of York

Petition of Con.ell
James Baldwin, Esq.,
complaining of the
late election for the
2nd Riding of York.

That consequently Petitioner reported the above attack, on the flight of his supporters, to the Returning Officer, and by the advice of some friends, and in their presence, protested against the election, and refused to go on with the poll.

That then, it is true, one or two Magistrates called the Petitioner to go with them, and if he had any voters in town they would bring them up. Petitioner replied, that they had been driven out of the village, and when told to send after them, answered, that it would be impossible for him to do so, and that they would not return, nor could confidence, after that attack, be restored. Petitioner consequently said he would not poll another vote, and retired.

Petitioner begs leave further to state, that, before he left the hustings, a number of sleighs, laden with voters for him, intending to vote that evening or next morning, were attacked by a party of the aforesaid bludgeon men, obliged to conceal themselves, and finally to fly from fear of being murdered, out of the village, and some were so terrified that they sent others to fetch them their sleighs and horses, and that one of this party, who, as they stopped at the tavern, proceeded towards the Hustings, and when close to it was struck and knocked down by two of these bludgeon men.

Petitioner begs leave further to represent, that the *Thursday, Friday* and *Saturday* were the days the greatest body of his supporters fixed on to come in, supposing they would then be less liable to interruption or outrage.

Petitioner also begs leave to state, that the general opinion, as well as his own, is, that *Mr. Duggan* had very few, if any, more votes to poll, whilst the great bulk of his was yet to come in, and that it was in consequence of this, and to force him to retire, that the above attacks were made on an organized plan, as it was supposed that if not made at the Hustings they would not upset the election.

Petitioner therefore prays, that for the above assigned reasons, and to afford the freeholders of the said *Riding* an opportunity of returning the person of their choice as their representative to this House, as by right and according to the constitution they should be able to do, that this House will hold, declare, and determine the said election for the said *Second Riding* of the County of *York*, and all proceedings thereon had to be null and void, and that the seat in the same is vacant and unfilled, and that in ordering a new election, should this House deem fit to order one, such steps may be taken, as to this House may seem proper, to ensure to the freeholders, of the said *Riding*, security whilst exercising the greatest and most valuable privilege of the subject, and for want of which security they were unable to do so at the said election.

Petition of Benjamin
Ham, and David
Roblin, and others, to
be considered on 1st
day of July next.

On motion of Mr. *Hincks*, seconded by Mr. *Baldwin*,
Ordered—That the Petition of *Benjamin Ham*, and of *David Roblin*, and others, complaining of the undue Election and return of *John Solomon Cartwright*, Esq., be taken into consideration, by this House, on the first day of *July* next, at the hour of *three* o'clock, P. M., and that notice to that effect, in writing, be forthwith given, by the Speaker, to the Petitioners and the sitting member, according to the provision of the second clause of an act passed by the Parliament of *Upper Canada*, during the fourth year of the reign of his late Majesty *GEORGE* the IV, Chap. IV.

Petition from divers
electors of the county
of *St. Maurice*, com-
plaining of the elec-

A Petition of divers Electors, of the County of *St. Maurice*, was presented to the House by Mr. *Prince*, and the same was received, and read; setting forth:—That at the last general election there were only two candidates for the said county, namely *Bartholomew Conrad Augustus*



Gugy, Esq., a gentleman holding large estates therein, and *Joseph Edouard Turcotte*, Esq., notoriously without any property whatever.

tion of J. E. Turcotte,
Esq.

That the latter being, in the terms of the Statute, "incapable of being elected" and there being consequently no real opposition, Petitioners and others comprising with a solitary exception all the men of property and education in the county, confidently, and without deeming it necessary to make any effort, anticipated the return of the candidate of their choice.

That Petitioners have been disappointed in this just expectation and have to complain of the conduct of the Returning Officer in having proclaimed, as duly elected, a person who was not only destitute of the requisite qualification, but who, when duly required by the other candidate as well as by an elector, refused to make the declaration prescribed by the twenty-eighth clause of the act in such case made and provided.

That Petitioner invoking a salutary provision of the law tending to exclude from the Legislative Assembly a class of persons without stake in the country, appeal to this House for relief and respectfully solicit their attention to the following statement of facts:—

Adverting to the absence of qualification, Petitioners respectfully allege that it has for years been, was immediately previous to, as well as at the period of the said election, notorious, that the said *Joseph Edouard Turcotte*, had no property whatever; in this allegation] Petitioners persist although they freely admit that under the deed whereof a copy and translation are annexed, the said *Joseph Edouard Turcotte*, would appear to hold the lot therein described; but, touching this lot, Petitioners are prepared to prove, firstly, that without any incumbrance whatever it is scarcely worth three hundred pounds currency, and secondly, that the incumbrances upon it absorb, if they do not exceed the whole value.

Aware that the said *Joseph Edouard Turcotte*, has made several different attempts to become possessed of lands or tenements for the purpose of qualifying and enabling himself to be returned a member, the extraordinary details of which may hereafter be disclosed, Petitioners, declaring that he has himself distinctly and publicly admitted, that he was not qualified, most respectfully pray this House will be pleased to take measures to elicit a description of any property in virtue of which he may pretend to be qualified—circumstances of a peculiar nature having transpired, Petitioners believe it possible that the said *Joseph Edouard Turcotte*, may rest his claim to be qualified on other property than that to which they have hereinbefore adverted; in this contingency they unhesitatingly allege and will prove that any apparent title that the said *Joseph Edouard Turcotte* may have, has been obtained in defiance of the expressed provision of the Statute "collusively, colourably," and fraudulently, merely with a view to defeat the said salutary provision of the Statute, and to enable him to be returned a member although Petitioners repeat "incapable of being elected."

Petitioners however submit as a preliminary question which they respectfully pray that this House will be pleased to inquire into and decide upon, previous to any examination of the matters of fact herein above set forth, that it appears by the poll book that the said *Joseph Edouard Turcotte*, although duly required to make the declaration prescribed by the Statute in such case made and provided, refused to make the same—Petitioners disclaim any intention to deny that a verbal declaration might satisfy the Law, but they respectfully complain that the said *Joseph Edouard Turcotte*, resorted to an artifice, and a quibble to elude the law, and in truth made no declaration whatever—referring, in proof of this allegation, to the record, Petitioners respectfully submit that in proclaiming the said *Joseph Edouard Turcotte*, as duly elected, the Returning Officer has departed from the course prescribed to him by law, in as much as it was then

Petition from divers electors of the County of St. Maurice, complaining of the election of J. E. Turcotte, Esq.

clearly his duty to have proclaimed as duly elected the said *Bartholomew Conrad Augustus Guky*, who had received several hundred votes, who had made the said declaration and is qualified according to law. Petitioners accordingly humbly appeal, in the first place to this House, to rectify the error committed by the said Officer.

But should this House require other and further evidence touching the evasion practised by the said *Joseph Edouard Turcotte*, Petitioners allege that the said *Joseph Edouard Turcotte*, did, at the said election conduct himself in a violent manner, did threaten the life of the said Returning Officer and others, did repeatedly declare that he would carry his point or that blood would be shed—and that having urged his followers, many of whom had bludgeons and other weapons, to acts of violence, he, the said *Joseph Edouard Turcotte*, did purposely excite a great *tumult*, noise and confusion at the moment when he was required to make the said declaration.

That at this moment and under these circumstances the said *Joseph Edouard Turcotte*, snatched out of the hands of the Returning Officer the copy of the Imperial Statute III and IV *Victoria*, chapter XXXV, held by that functionary for his guidance, and having so possessed himself of the book, not only overlooked the official character of the said Returning Officer and deliberately declined to call him to witness or to receive any declaration on the part of him, the said *Joseph Edouard Turcotte*, but that the latter purposely withdrew from the presence of the said Returning Officer and repairing to a spot where the said tumult, noise and confusion so excited excluded the possibility of his being distinctly heard, affected to read the said declaration—that while in the act of so withdrawing, the said *Joseph Edouard Turcotte*, significantly intimidated that his then proposed perusal would impart little or no information; lastly, Petitioners allege and are prepared to prove that though (from the *noise*, tumult and confusion then prevailing) occasionally inaudible, the said *Joseph Edouard Turcotte*, read certain parts of the declaration literally as they are printed, namely the third and fourth lines including the words “or” and “as the case may be.”

Referring to the copy of protest made at the close of a contest which Petitioners deemed it unnecessary to prolong, they respectfully submit that under the circumstances they cannot expect any satisfactory result from a bill of indictment against the said *Joseph Edouard Turcotte*, and that this House alone can redress the grievance of which Petitioners complain.

That should the record contained in the poll book fail to convince this House of the truth of the statement made by petitioners they will be prepared to establish by sufficient evidence, that the circumstances hereinabove specified actually took place at the period when the said *Joseph Edouard Turcotte* was required to make the requisite declaration, and in the event of this House requiring further testimony, Petitioners will prove that the said *Joseph Edouard Turcotte*, in point of fact, was then notoriously disqualified as aforesaid.

That Petitioners humbly pray, that this House will vacate and set aside the erroneous decision of the Returning Officer, and the return of the said *Joseph Edouard Turcotte*, Esq., and declare the said *Bartholomew Conrad Augustus Guky*, to have been duly elected.

Recognizances by J. Dickson, & B. Guky.

Mr. Speaker acquainted the House that *James Dickson* and *B. C. A. Guky* had entered into the usual recognizances required by law on the subject matter of the contested election for the County of *Saint Maurice*.

Allegations in Petition, if true, will make void the election of J. E. Turcotte, Esq.

Mr. *Prince* moved to resolve, seconded by Mr. *Hamilton*, that the grounds and reasons of complaint set forth in the said Petition, if true, are sufficient to make void the election of the said *Joseph Edouard Turcotte* Esq.

Ordered—That the consideration of the said motion be postponed until *Wednesday* next.

Mr. *Prince* moved, seconded by Mr. *Henry Smith*, that the further consideration of the petition of divers Freeholders and Inhabitants of the county of *Bonaventure*, complaining of the undue return of *John R. Hamilton*, Esquire, Member for the county, presented to the House on the *eighteenth* instant, be discharged.

Motion that the consideration of the Petition from Bonaventure against the Election of John R. Hamilton, Esquire, be discharged.

Ordered—That the consideration of the said motion be postponed until *Wednesday* next.

Ques postponed.

Mr. *Black*, from the special Committee to which was referred the petition of the President and Directors of the *Canada* Fire Assurance Company, with power to report by Bill or otherwise, presented to the House a Bill for incorporating the "*Canada* Fire Assurance Company ;" which was received and read for the first time.

Canada Fire Assurance Company Bill read.

Ordered—That Mr. *Cameron* have leave to bring in a Bill to regulate the Inspection and measurement of Timber, Masts, Spars, Deals, Staves, and other articles of a like nature, in the Ports of *Quebec* and *Montreal*, and for other purposes relative to the same.

Bill to regulate inspection of Timber, Masts, etc., read.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Ordered—That the said Bill be read a second time, this day *Fortnight*.

Ordered—That two hundred copies of the said Bill, in English, and one hundred copies, in French, be printed for the use of the Members of this House.

Bill to be printed.

On motion of Mr. *Johnston*, seconded by Captain *Steele*,

Ordered—That the petition of *James Mathewson*, of the Township of *Pittsburg*, complaining of the undue election and return of *Henry Smith* Esq, be taken into consideration by this House on the *twenty-second day* of *July*, next, at the hour of *three* o'clock P. M. and that notice to that effect, in writing, be forthwith given, by the Speaker, to the Petitioner and the sitting Member, according to the provision of the second clause of an Act passed by the Parliament of *Upper Canada*, during the fourth year of the Reign of His late Majesty King GEORGE the IV. Chap. IV.

Petition of James Mathewson, complaining of the election of Henry Smith, Esq. to be considered on the 22nd day of July next.

Notice to be given to parties thereof.

Mr. *Baldwin* moved, seconded by Mr. *Christie*, that the time for the Petitioners, against the election and return for the Town of *Niagara*, to enter into the Recognizance required by law, be enlarged, until *Wednesday* the *seventh* of *July* next.

The House divided on the motion, and the names being called for, they were taken down as followeth :—

YEAS.

<i>Armstrong,</i>	<i>Delisle,</i>	<i>MacNab, Sir A. N.</i>	<i>Raymond,</i>
<i>Aylwin,</i>	<i>Dunscomb,</i>	<i>Merritt,</i>	<i>Roblin,</i>
<i>Baldwin,</i>	<i>Durand,</i>	<i>Moffutt, Hon. G.</i>	<i>Small,</i>
<i>Berthelot,</i>	<i>Gilchrist,</i>	<i>Morris,</i>	<i>Smith, (Went.)</i>
<i>Boutillier,</i>	<i>Hamilton,</i>	<i>Neilson,</i>	<i>Strachan,</i>
<i>Buchanan,</i>	<i>Hincks,</i>	<i>Noel,</i>	<i>Thompson,</i>
<i>Child,</i>	<i>Holmes,</i>	<i>Parent,</i>	<i>Thorburn,</i>
<i>Christie,</i>	<i>Johnston,</i>	<i>Powell,</i>	<i>Turcotte,</i>
<i>Cook,</i>	<i>McDonald, (Pres.)</i>	<i>Price,</i>	<i>Williams.—36.</i>

Mr. *Dunscomb*, and the same was received and read; setting forth: That on the night of 9th *August* last certain incendiaries came over from the *United States*, and destroyed, by fire, amongst other buildings, a barn belonging to Petitioner, containing 9 tons of Hay and a load of Grain; and though said incendiaries were followed into the *United States* and arrested, the authorities there refused to give them up.

That Petitioner is assured that this outrage was perpetrated in revenge for the zealous and active part which he took in suppressing the late rebellion.

That Petitioner's loss has been impartially estimated at £71, a sum which he cannot afford to lose, having a large family to maintain; he therefore prays the House to grant him such indemnity as to them may seem meet and just.

Ordered—That the said Petition do lie upon the table.

Resolved—That the House will, on *Wednesday* week, resolve itself into a Committee, of the whole House, to take into consideration the Laws of that part of the Province heretofore known as *Lower Canada*, touching the tenure of lands, and commonly known as "Feudal Tenure," and to consider the expediency of altering and amending the same; and the best and most equitable mode of affecting the alterations that may be deemed necessary.

Committee of whole, on *Wednesday* week, to take into consideration the Laws relating to "Feudal Tenure."

Resolved—That a Committee of five members be appointed to report upon the Turnpike Trust in the *Gore* District, by Bill or otherwise, with power to send for persons, papers and records.

Committee appointed to report on Turnpike Trusts.

Ordered—That Mr. *Durand*, Mr. *Harmanus Smith*, Mr. *Thorburn*, Sir *Allan McNab*, and Mr. *Price*, do compose the said Committee.

Mr. *Hamilton* moved, seconded by Mr. *Derbshire*, that a member be added to the Committee to which was referred the Bill to amend a certain Ordinance passed in the third year of Her Majesty's Reign, intituled "An Ordinance to provide permanently for the want of Notaries in the Inferior District of *Gaspé*, and to remove doubts therein mentioned."

Motion for adding a member to a Com.

The question having been put upon the said motion, a division ensued, and it passed in the negative.

A Petition of divers Proprietors, residing in the third range of the Township of *Durham*, County of *Drummond*, was presented to the House by Mr. *Watts*, and the same was received, and read; setting forth:—That the line between the 2nd and 3rd range of said Township is materially incorrect, from Lot No. 13 to Lot No. 28, as has been proved by three sworn Surveyors employed by petitioners to survey the same, and subsequently by a Surveyor sent for the purpose by the late Surveyor General of *Lower Canada*.

Petition from County of *Drummond* praying for a Survey.

Petitioners therefore pray that a new survey of the said line may be ordered, the expense attending which they are willing themselves to defray.

Resolved—That the said Petition be referred to a Special Committee of five members to examine the contents thereof, and report thereon with all convenient speed, by Bill or otherwise, with power to send for persons, papers and records.

Petition referred.

Ordered—That Mr. *Watts*, Mr. *Killaly*, Mr. *Child*, the Honourable Mr. *Moffatt* and Mr. *Moore*, do compose the said Committee.

Committee formed.

A Petition of the Inhabitants of *Charleston*, *Hatley*, and its neighbourhood, in the County of *Stanstead*, was presented to the House by Mr. *Child*, and the same was received and read, setting forth: (*vide* petition

Petition from *Stanstead* for the Bible to be used, as a class Book, in schools.

of the Clergyman and Members of the Church of England in St. Armand West—page 69.)

Ordered—That the said Petition do lie upon the table.

On motion of Sir *Allan McNab*, seconded by the Honourable Mr. *Moffatt*,

Resolved—That the ordinary routine of the daily proceedings in this House, in the transaction of business, be as follows: (after reading the minutes of the preceding day)

Order of proceedings in the House.

BRINGING UP PETITIONS.

THIRD READING OF BILLS AND ADDRESSES.

READING PETITIONS.

REFERRING PETITIONS.

NOTICES TO BE GIVEN.

PRESENTING REPORTS, (by standing and select committees.)

ORDERS OF THE DAY.

Copy of Order of proceedings to be laid upon Speaker's table, and hung up in Lobby every morning.

Ordered—That the Clerk of this House be directed to lay on the Speaker's table, every morning previous to the meeting of the House, the order of the proceedings for the day; and that a copy of the same be hung up in the lobby, for the information of members.

Motion for adopting a mode of appointing Special Committees.

Sir *Allan McNab* moved, seconded by the Honourable Mr. *Moffatt*, that in the appointment of special committees by this House, when the committee to be appointed shall be composed of *five* members, or less, the member moving for the same shall name the persons to compose said committee, subject to alteration by the House, and that when the committee to be formed is to consist of more than *five* members, it shall be first determined, the number of which it shall consist; then each member shall write on a slip of paper the names of as many members as are to form such committee, and deliver the same to the Clerk, who shall thereupon examine the said Lists, and report to the Speaker, for the information of the House, who have most voices in their favour; and if any difficulty should arise, by two or more having an equal number of voices, the sense of the House shall be taken as to the preference.

Consideration of Quest. postponed.

Ordered—That the consideration of the said motion be postponed.

Com. on petition of divers freeholders, of Gore District, report "Sydenham Mountain Road" Bill.

Mr. *Durand*, from the select committee to which was referred the Petition of divers Freeholders residing in the District of *Gore*, with power to report by Bill or otherwise, presented to the House a Bill to establish a company, by the name of the "*Sydenham Mountain Road Company*," which was received and read for the first time.

Ordered—That the said Bill be read a second time on *Friday* next.

Petition of Monsieur Taylhades referred to a Committee.

Resolved—That the petition of *Jacques Alexandre Taylhades*, gentleman, be referred to a Committee of five Members, to examine the contents thereof, and report thereon, with all convenient speed; with power to send for persons, papers, and records.

Committee formed.

Ordered—That the Honourable Mr. *Moffatt*, Mr. *Holmes*, the Honourable Mr. *Viger*, Mr. *Parent*, and Mr. *Aylwin*, do compose the said Committee.

On motion of Mr. *Prince*, seconded by Mr. *Child*.

Petition against the election of J. M. Strachan, to be considered on 5th July next.

Ordered—That the petition of *William Dunlop*, of *Gairbraid*, in the county of *Huron*, Esq. complaining of the undue election and return of *James McGill Strachan*, Esquire, be taken into consideration by this House on the *fifth* day of *July* next, at the hour of *three* o'clock P. M. and that notice to that effect, in writing, be forthwith given, by the Speaker, to the Petitioner and the sitting Member, according to the provision of the

Notice of same to be given to parties.

second clause of an Act passed by the Parliament of *Upper Canada*, during the fourth year of the Reign of His late Majesty GEORGE the IV, chap. IV.

The Order of the day for the House in Committee to consider the orders adopted by the late House of Assembly, of *Lower Canada*, for regulating its proceedings in cases of contested elections in that Province, being read,

Ordered—That the said Order of the day be postponed until *Wednesday* next, at ten o'clock A. M.

The Order of the day for the second reading of the Bill for the relief of disabled and infirm persons, being read,

Ordered—That the said Order of the day be postponed until *Wednesday* next.

The Order of the day, for the House in Committee to consider the propriety of amending the Usury Laws of this Province, being read,

Ordered—That the said Order of the day be postponed until *Friday*, the *second* of *July* next.

The Order of the day for the second reading of the Bill to enable Members of the Legislative Assembly, for places within that part of the Province formerly constituting the Province of *Upper Canada*, to vacate their seats in certain cases, and for other purposes, being read,

Ordered—That the said Order of the day be postponed, until *Friday* next.

The Order of the day for the House in Committee on the Bill to amend an Act of that part of the Province formerly called *Upper Canada*, entitled "*An Act to provide for the making and keeping in repair the West Gwillimbury Road and Bridge and to authorize the erection of a Toll Gate thereon*," being read,

Ordered—That the said Order of the day be postponed until *Wednesday* next.

Then on motion of the Honourable Mr. *Viger*, seconded by Mr. *Ramond*,

The House Adjourned.

Order of the day on certain orders of Lower Canada on elections postponed.

Also the Order of the day for second reading of disabled and infirm Bill.

Also second reading Usury Law.

Also second reading, bill to enable members to vacate their seats.

Also a committee of whole, on West Gwillimbury road, and bridge bill.

Mercurii 30^o die Junii;

Anno 5^o *Victoriæ Reginae*, 1841.

10 o'clock A. M.

Etienne P. Taché Esquire, member for the county of *L'Islet*, having previously taken the oath according to law, and subscribed before the Commissioners the roll containing the same, took his seat in the House.

Mr. Taché, takes his seat.

The following petitions were severally brought up and laid on the table:

Petitions brought up.

By Mr. *Cook*, the petition of the Reverend *William Shorts*, of *Williamsburg*.

Rev. Wm. Shorts.

By Mr. *Small*, the petition of *W. W. Baldwin*, and others, of the county of *York*, and City of *Toronto*.

W. W. Baldwin, and others.

By Mr. *Christie*, the petition of *Mungo Murray*, and others, inhabi-

Mungo Murray, and others.

- Norman McLeod, and others. tants of *Shoolbred*, on the *Ristigouche*, county of *Bonaventure*, and the petition of *Norman McLeod*, and others, inhabitants residing on the river *Ristigouche*.
- Bank of Upper Canada. By Mr. *Buchanan*, the petition of the President, Directors and Company of the Bank of *Upper Canada*; and the Petition of the President, Directors and Company of the Bank of *Upper Canada*.
- Another from same. By Mr. *Roblin*, the petition of *Abraham Van Vleck Pruyn*, of the town of *Picton*, Physician; and the Petition of *Alfred H. Blake*, of the town of *Picton*.
- A. Van Vleck, Pruyn
Alfred H. Blake. By Mr. *Holmes*, the Petition of the President and Directors of the Bank of *Montreal*.
- Bank of Montreal. By Mr. *Holmes*, the Petition of the President and Directors of the Bank of *Montreal*.
- Petitions referred. *Ordered*—That the Petition of divers Inhabitants of the *Gore* District, presented to the House on the *twenty-second* instant, be referred to the committee appointed to report upon the Turnpike trusts, in the *Gore* District.
- Inhabitants, Gore district. *Resolved*—That the Petition of *Donald Calder*, and divers others, of the Township of *Thorah*, in the county of *Simcoe*, be referred to a committee of five members, to examine the contents thereof, and to report thereon, with all convenient speed, by Bill or otherwise; with power to send for persons, papers, and records.
- Donald Calder, and others. *Ordered*—That Captain *Steele*, Sir *Allan MacNab*, Mr. *Williams*, the Honourable Mr. *Dumi*, and the Honourable Mr. *Killaly*, do compose the said Committee.
- Committee formed. *Ordered*—That the Petition of *Alpheus Todd*, of the city of *Toronto*, Deputy Librarian to the late Provincial Assembly of *Upper Canada*, be referred to the Special Committee appointed to enquire what assistance it will be necessary to afford to the Clerk, and what offices and departments it will be expedient to establish, for the effective and orderly conduct of the business of this House.
- Alpheus Todd. On motion of the Honourable Mr. *Moffat*, seconded by Mr. *Buchanan* :
- House to go into committee of whole, on Inspection Laws, on 14th July next. *Resolved*—That this House will, on *Wednesday*, the *fourteenth* of *July* next, resolve itself into a committee of the whole, to take into consideration the expediency of allowing the exportation, from this Province, of Flour and Meal, Pot and Pearl Ashes, and Beef and Pork, without inspection, and of amending and consolidating the laws now in force in this Province in relation to the inspection of the said commodities.
- Report of Special Com. on subscription for Newspapers. Mr. *Simpson* from the Special Committee to which was referred the subject of the subscription of the House to the Public Newspapers of the Province, presented to the House the report of the said committee, which was again read, at the Clerk's table, as followeth :—
- “ Your committee deemed it advisable to summon the proprietors of the various newspapers of this Town before them for the purpose of ascertaining the best practical method of giving a correct report of the proceedings and debates of your Honourable House to the public.
- That the witnesses, almost unanimously, were of the opinion that encouragement in some way should be afforded by Your Honourable House to assist in defraying the expenses of such reporting.
- That your Committee have concluded to recommend to Your Honourable House that the Clerk be instructed to procure from the Proprietor of the *Canadian Mirror of Parliament*, five hundred copies of each publication, for the use of members, at the rate of five shillings currency each, per month, and that the same be charged in the contingent accounts of your Honourable House.

Your committee have directed their Clerk forthwith to communicate to the several proprietors of newspapers of the Province, that are printed in the French language, a request that they will furnish your committee with the terms upon which they will publish the Debates of your Honourable House in their respective newspapers, in the French language, as they may be given in the *Mirror* during the present Session; the result of which your committee will make the subject of a subsequent report."

Ordered—That the said report be referred to a committee of the whole House *to-morrow*.

Report referred to Committee of whole.

Mr. *Morris*, from the Standing Committee appointed to superintend the printing of the House during the present Session, presented to the House the second report of the said committee, which was again read at the Clerk's Table, as followeth:—

2nd Report from Committee on Printing.

"Your Committee have considered the Tenders of the Printers, for the Printing required by your Honourable House.

"From the statement hereunto annexed, it appears that the Tender of Messrs. Desbarats and Cary is the lowest; and your Committee are of opinion that they are entitled to the work.

"There will be a separate charge for the paper used in doing the printing of your Honourable House; and your Committee having examined the specimens of paper accompanying the Tender of Messrs. Desbarats and Cary, are satisfied with the quality and price."

Ordered—That the said report be referred to a committee of the whole House *to-morrow*.

Mr. *Price*, from the Special Committee, to which was referred the Petition of *Robert J. Turner*, of the Town of *Kingston*, with power to report by Bill or otherwise, presented to the House a Bill to permit *Robert J. Turner* to practise as Solicitor in the Court of Chancery; which was received and read for the first time.

Turner's relief Bill reported and read 1st time.

Ordered—That the said Bill be read a second time *to-morrow*.

Ordered—That the Bill the better to provide for the freedom of elections throughout this Province, and for other purposes therein mentioned, be read a second time on this day week.

Freedom of Election Bill to be read 2nd time this day week.

Ordered—That 200 copies of the said Bill be printed in the English and French languages, for the use of the members of this House.

Bill to be printed.

Ordered—That Mr. *Campbell* have leave to absent himself from this House during the space of a week.

Leave of absence to Mr. Campbell.

On motion of Mr. *Hamilton*, seconded by Sir *Allan MacNab*,

Resolved—That an humble Address be presented to His Excellency the Governor General, praying His Excellency to direct the proper officer to lay before this House, a statement of the nett amount of duties collected at the several ports in the District of *Gaspé*, since the year one thousand eight hundred and thirty-five, inclusively; also a detailed statement of the amount of public money, appropriated for, and expended in the said District, since the year one thousand eight hundred and thirty five, inclusive.

Address for returns of duties collected in Gaspé.

Ordered—That Mr. *Hamilton*, Sir *Allan McNab*, Mr. *Simpson*, and Mr. *Gilchrist*, do present the said Address to His Excellency, the Governor General.

Mr. *Holmes* moved, seconded by Mr. *Dunscomb*, that a select Committee be appointed to inquire and report to this House such measures as will most readily equalize the rates of Exchange, and assimilate the currency throughout this Province; with power to send for persons, papers, and records; and that the said Committee do consist of the following gentlemen, viz: the Honourable Mr. *Dunn*, Mr. *Dunscomb*, Mr. *Burnet*, Mr. *Cameron*, Mr. *Cartwright*, Mr. *Morris*, the Honourable Mr. *Moffatt*, and Mr. *Hincks*, and that the *seventy-seventh* rule of this House be dispensed with so far as relates to this motion.

Select Committee, on Currency, appointed.

Mr. *Johnston* moved, in amendment, seconded by Mr. *Merritt*, that Mr. *Aylwin* and Mr. *Neilson* be added to the said Committee.

The question having been put, upon the motion of amendment, a division ensued, and it was carried in the affirmative.

The question being then put upon the main motion, as amended, it was agreed to unanimously, and—

Resolved accordingly.

Mr. *Simpson* moved, seconded by Captain *Steele*, that this House will, *to-morrow*, resolve itself into Committee of the whole House, to consider the expediency of repealing the Act of the late Province of *Upper Canada* 6th, Wm. 4th, Chap. 27.

The Honourable Mr. *Moffatt*, seconded by Mr. Attorney General *Draper*, moved the previous question, viz :

Shall the question be now put ?

A division ensued and it passed in the negative.

On motion of Mr. Attorney General *Draper*, seconded by Mr. *Small*,

Resolved—That this House will, *to-morrow*, resolve itself into a Committee of the whole House, to take into consideration the state of the Law relative to the Court of Requests, in that part of the Province formerly called *Upper Canada*.

House to go into Committee to-morrow, on Court of Requests Law.

On motion of Captain *Steele*, seconded by Mr. *Williams*,

Resolved—That this House will, *to-morrow*, resolve itself into Committee of the whole House, to consider the expediency of authorizing an additional loan to complete the Court House and Gaol of the District of *Simcoe*.

Also on subject of Loan for Gaol and Court House, in County of *Simcoe*.

The Speaker communicated to the House the following letter :

CHIEF SECRETARY'S OFFICE, 30th JUNE, 1141.

SIR,—I am commanded by the Governor General to inform you that it is His Excellency's intention to proceed to the Legislative Council Chamber *To-morrow* at a quarter past two o'clock, for the purpose of giving His assent to the Bill which has been passed by the Legislative Council and Assembly, intituled "*An Act to alter, for a limited period, the place of sitting of the Heir and Devisee Commission of the late Province of Upper Canada, and for other purposes therein mentioned.*"

Royal Assent to be given to Heir and Devisee Bill, to-morrow.

I have the honor to be, Sir,

Your most obedient servant,

T. W. C. MURDOCH, Chief Secretary.

The Honourable, the Speaker of }
the Legislative Assembly. }

On motion of the Honourable Mr. *Moffatt*, seconded by Mr. *Thompson*,
Ordered—That the orders of the day be now read.

The order of the day, for the House in Committee, to consider the orders adopted by the late House of Assembly of *Lower Canada*, for regulating its proceedings in cases of contested Elections in that Province being read,

House in committee of whole on contested Elections, Lower Canada

The House accordingly resolved itself into the said Committee.

Mr. *Raymond* took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair,

And Mr. *Raymond* reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered—That the said Committee have leave to sit again to-morrow.

The order of the day for the second reading of the Bill for improving the administration of Criminal Justice in this Province, being read,

Ordered—That the said order of the day be postponed until *Monday* next.

Orders of the day postponed until Monday next

The order of the day for the second reading of the Bill for consolidating and amending the Laws in this Province relative to Larceny and other offences connected therewith, being read, Orders of day postponed.

Ordered—That the said order of the day be postponed until *Monday* next.

The order of the day for the second reading of the Bill for repealing the several Statutes in this Province relative to the benefit of Clergy and to Larceny, and other offences connected therewith; to malicious injuries to property, and to offences against the person, being read,

Ordered—That the said order of the day be postponed until *Monday* next.

The order of the day for the second reading of the Bill for consolidating and amending the Laws in this Province relative to offences against the person, being read,

Ordered—That the said order of the day be postponed until *Monday* next.

The order of the day for the second reading of the Bill for consolidating and amending the Laws in this Province, relative to malicious injuries to property, being read,

Ordered—That the said order of the day be postponed until *Monday* next.

A Bill for the relief of disabled and infirm persons was, according to order, read a second time.

Ordered—That the said Bill be referred to a Committee of the whole House on *Monday* next.

The order of the day for the House in Committee on the Bill to amend an Act of that part of the Province formerly called *Upper Canada*, intituled “*An Act to provide for the making and keeping in repair the West Gwillimbury Road and Bridge, and to authorize the erection of a Toll Gate thereon,*” being read,

House in Committee on the West Gwillimbury Road & Bridge Bill.

The House, accordingly, resolved itself into the said Committee.

Mr. *Hamilton* took the chair of the Committee, and, after some time spent therein.

Mr. Speaker resumed the chair, and

Mr. *Hamilton* reported that the Committee had gone through the Bill without making any amendment thereto; and the Report was again read at the Clerk's Table. Bill reported without amendment.

Ordered—That the said Bill be engrossed.

The order of the day for taking into consideration a motion made by Mr. *Prince*, on *Monday* last, viz: That the grounds and reasons of complaint set forth in the petition of divers Electors of the County of *St. Maurice*, if true, are sufficient to make void the Election of *Joseph Edouard Turcotte*, Esquire, being read, Orders of the day postponed.

Ordered—That the said order of the day be postponed until *Tuesday* next.

The order of the day for taking into consideration a motion made by Mr. *Prince*, on *Monday* last, viz: That the further consideration of the petition of divers freeholders and inhabitants of the County of *Bonaventure*, complaining of the undue election and return of *John R. Hamilton*, Esquire, Member for the said County, be discharged, being read,

Ordered—That the said order of the day be postponed until *tomorrow*.

Mr. *Hamilton* moved, seconded by Mr. *Hincks*, that the House do adjourn until *to-morrow* at *ten* o'clock, A. M.

The Honourable Mr. *Viger* moved, in amendment, seconded by Mr. *Buchanan*, that the words "at ten o'clock" be struck out of the said motion.

The question having been put on the motion of amendment, a division ensued, and it passed in the negative.

The question being then put upon the motion, it was agreed to unanimously, and

The House accordingly adjourned until *to-morrow*, at *ten* o'clock, A. M.

Jovis 1^o die Julii;

Anno 5^o *Victoriæ Reginæ*, 1841.

10 o'clock, A. M.

- Petitions brought up. The following petitions were severally brought up, and laid on the table.
- Loop Odell, and others.
J. L. Caron. By Mr. *Delisle*, the petition *Loop Odell*, and others, of the County of *Acadie*—and the petition of *Jean Louis Caron*, of *Chateauguay*.
- Farewell, and others. By Mr. *Small*, the petition of *A. M. Farewell*, *Abram Butterfield*, and others, of the Townships of *Whitby* and *Darlington*—the petition of *Julia Bell*, wife of *Jencas Bell*, chief Messenger to the Assembly of the late Province of *Upper Canada*, the petition of *William Clark*, and others, of the Township of *Markham*, and the petition of *David Elder*, of *Toronto*.
- Julia Bell. By Mr. *Hule*, the petition of the Trustees of the Academy of *Sherbrooke*, in the District of *St. Francis*.
- William Clark, and others.
David Elder. By Mr. *Dunscumb*, the petition of the President, Directors and Stockholders of the *City Bank* of the City of *Montreal*.
- Trustees Sherbrooke Academy. By Mr. *Roblin*, the petition of *William Henry Gibbon*, of the Townships of *Kingston*, and others.
- City Bank, Montreal. By Mr. *Merritt*, the petition of *Richard M. Boyle*, and others, and the petition of *Rebecca McIntee*, widow of *Barnabas McIntee*, formerly of the first Regiment of *Lincoln Militia*.
- W. H. Gibbon. By Mr. *Gilchrist*, the Petition of *H. Troup*, and others, of the Townships of *Asphadel* and *Dummer*.
- Richard Boyle, and others. By Mr. *Turcotte*, the petition of *Moses Hart*, and others, of the Town of *Three Rivers*.
- Rebecca M^{rs}Intee. *Resolved*—That the petition of *Adam Stull* and *Peter Lampman*, of the Township of *Grantham*, presented to the House on the *fifteenth* of *June* last, be referred to a Select Committee of three members, to examine the contents thereof, and report thereon, with all convenient speed, by Bill, or otherwise, with power to send for persons, papers, and records.
- H. Troup, and others. *Ordered*—That Mr. *Merritt*, Mr. *Nilson*, and Mr. *Thorburn*, do compose the said Committee.
- Moses Hart, and others. *Ordered*—That the petition of *John Decow*, and others, of the County of *Haldimand*, in the District of *Niagara*, presented to the House on the *fifteenth* of *June* last, be referred to the said Committee.
- Petitions referred. *Resolved*—That the petition of *Adam Stull* and *Peter Lampman*, of the Township of *Grantham*, presented to the House on the *fifteenth* of *June* last, be referred to a Select Committee of three members, to examine the contents thereof, and report thereon, with all convenient speed, by Bill, or otherwise, with power to send for persons, papers, and records.
- Stull and Lampman. *Ordered*—That Mr. *Merritt*, Mr. *Nilson*, and Mr. *Thorburn*, do compose the said Committee.
- John Decow. *Ordered*—That the petition of *John Decow*, and others, of the County of *Haldimand*, in the District of *Niagara*, presented to the House on the *fifteenth* of *June* last, be referred to the said Committee.
- Inhabitants of Grand River Lands. Mr. *Thompson* moved, seconded by Mr. *Merritt*, That the Petition of divers inhabitants of the *Grand River* lands, in the County of *Haldimand*, in the District of *Niagara*, and of other adja-

cent places, in the District of *Gore*, presented to the House on the *sixteenth* of *June* last, be referred to a Select Committee of three members, to examine the contents thereof, and report thereon with all convenient speed, by Bill or otherwise; with power to send for persons, papers, and records.

The question having been put upon the said motion, a division ensued, and it was carried in the affirmative, and

Resolved, accordingly.

Ordered—That Mr. *Thompson*, Mr. *Merritt*, and Mr. *Thorburn*, do compose the said Committee.

Ordered—That the Petition of *John Kalar*, of the County of *Lincoln*, in the *Niagara* District, presented to the House on the *fifteenth* of *June* last, be referred to the Select Committee, to which was referred the Petition of *Adam Stull* and *Peter Lampman*, of the Township of *Grantham*.

Petition of John Kalar, referred.

Ordered—That the Honorable Mr. *Moffatt* have leave to absent himself from this House, from this day until the twelfth instant, on urgent business.

Leave of absence to the Hon. W. Moffatt, until 12th instant.

Mr. Speaker informed the House that the Clerk of this House had received from the Clerk of the Crown in Chancery, a Certificate of the Election of a Member for the Town of *Kingston*, in the room of *Anthony Manahan*, Esquire, who had vacated his seat.

And the said Certificate was read, and is as followeth:

OFFICE OF THE CLERK OF THE CROWN IN CHANCERY,
KINGSTON, 1ST JULY, 1841.

This is to certify that, in virtue of a Writ of Election, dated the *nineteenth* day of *June*, last past, issued by His Excellency, the Governor in Chief, and directed to the Returning Officer for the Town of *Kingston*, (*John Counter*, Esquire) for the Election of one Member for the said Town of *Kingston* in the place and room of *Anthony Manahan*, Esquire, who, since his Election, hath accepted the Office of Collector of Customs for the port of *Toronto*, the Honourable *Samuel Beasley Harrison*, has been returned as duly elected accordingly, as appears by the return of the said writ, bearing date this day, which is lodged of record in this Office.

Hon. S. B. Harrison elected for Kingston, in place of Anthony Manahan, Esquire.

THOS. AMIOT,
Clk. Cr. in Chy.

To *Wm. B. Lindsay*, Esquire, }
Clk. Leg. Assembly. }

The Honourable *Samuel Beasley Harrison*, member for the Town of *Kingston*, having previously taken the oath according to law, and subscribed before the Commissioners the roll containing the same, took his seat in the House.

Hon. W. Harrison takes his seat.

On motion of Mr. *Small*, seconded by Mr. *Thorburn*.

Resolved—That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to direct to be placed before this House, copies of all such returns of fines and forfeitures, imposed by Justices of the peace in that part of this Province formerly known as *Upper Canada*, and required by an Address of the House of Assembly of the said late Province of *Upper Canada*, as have been received.

Address to His Excellency for returns of fines & forfeitures.

Ordered—That Mr. *Small*, Mr. *Thorburn*, Mr. *Parent*, and Mr. *Barthe*, do present the said Address to His Excellency, the Governor General.

Bill for naturalizing certain persons reported.

Mr. *Prince* from the select Committee to which was referred the petition of *P. Frederick Verhoef*, *Lewis Davenport*, and others; and also the petition of *John Clough Moulton*, of the Township of *York*, with power to report by Bill or otherwise, presented to the House a Bill to naturalize certain persons therein named, which was received and read for the first time.

Ordered—That the said Bill be read a second time this day week.

Committee of whole on Warehousing to sit on Monday next.

On motion of Mr. *Dunscomb*, seconded by Mr. *Holmes*,

Resolved—That this House will, on *Monday* next, resolve itself into a Committee of the whole House to consider the expediency of introducing measures for the Warehousing and Bonding of Goods in the several free Warehousing ports of this Province.

Committee of whole, on imports, to sit on Monday next.

On motion of Mr. *Dunscomb*, seconded by Mr. *Holmes*,

Resolved—That this House will, on *Monday* next, resolve itself into a Committee of the whole House, to consider the expediency of enquiring into the several laws, levying Duties on Imports into this Province, and to consider the propriety of amending and consolidating the same.

Address to His Excellency, for amount of duties levied, at *Bytown*, on Timber.

On motion of Mr. *Derbshire*, seconded by Mr. *Cameron*,

Resolved—That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to order that there be laid upon the table of this House, a return of the amount of duties levied at *Bytown*, upon timber floated down the river *Ottawa*, for the last *five* years, specifying the amount paid in each year, and upon what descriptions of Timber, and also if any and what portion of such duties has been expended upon the improvement of the navigation of the *Ottawa*, at or above *Bytown*, and what improvements have been so effected.

Ordered—That Mr. *Derbshire*, Mr. *Cameron*, Mr. *Quesnel* and the Honourable Mr. *Viger*, do present the said Address to His Excellency, the Governor General.

Address to His Excellency, for copy of correspondence on duties on Timber.

On motion of Mr. *Aylwin*, seconded by Sir *Allan MacNab*,

Resolved—That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House, a Copy of all correspondence between Her Majesty's Ministers and His Excellency, the Governor General, in relation to any alteration in the scale of duties upon the importation, into *Great Britain*, of foreign and colonial timber, or either.

Ordered—That Mr. *Aylwin*, Sir *Allan MacNab*, Mr. *Turcotte*, and Mr. *Boutillier*, do present the said address to His Excellency, the Governor General.

Address to His Excellency, for copy of Report of Commission on Toronto Riots.

On motion of Mr. *Aylwin*, seconded by Sir *Allan MacNab*,

Resolved—That an humble address be presented to His Excellency, the Governor General, praying that His Excellency, will be pleased to cause to be laid before this House, a copy of the Report and proceedings of the Commission appointed to investigate certain supposed riots, at or after the election of two members to serve in Parliament for the City of *Toronto*.

Ordered—That Mr. *Aylwin*, Sir *Allan MacNab*, Mr. *Turcotte*, and Mr. *Boutillier*, do present the said address to His Excellency, the Governor General.

Leave of absence to Mr. *Cook*, to 12th Instant.

Ordered—That Mr. *Cook*, have leave to absent himself from this House, from this day, until the twelfth instant.

Then on motion of Mr. *Hamilton*, second by Mr. *Watts*,
The House adjourned, until *two* o'clock, P. M., this day.

Jovis 1^o Julii ;

Two o'Clock, P. M.

A Message was brought by *Frederick Star Jarvis*, Esq., Gentleman Usher of the Black Rod.

MR. SPEAKER,

His Excellency the Governor General, desires the immediate attendance of this Honourable House, in the Legislative Council Chamber.

His Excellency sends for House to Council Chamber.

Accordingly Mr. Speaker, with the House, went to the Council Chamber.

And, being returned,

Mr. Speaker reported that, agreeable to the commands of His Excellency, the Governor General, the House had attended His Excellency, in the Legislative Council Chamber, where His Excellency was pleased to give, in Her Majesty's name, the Royal assent to the following public bill :—

Royal Assent give to Heir and Devisee Bill

“ *An Act to alter for a limited period the place of sitting of the Heir and Devisee Commission of the late Province of Upper Canada, and for other purposes therein mentioned.*”

The Hour appointed for taking into consideration the petition of *Benjamin Ham*, of the Township of *Ernest Town*, and the Petition of *David Roblin*, and others, Freeholders of the Incorporated Counties of *Lennox* and *Addington*, in the *Midland* District, complaining of the undue election and Return of *John Solomon Cartwright*, Esq., as a member to represent the incorporated counties of *Lennox* and *Addington*, in this present Parliament, being come—

House proceeds in trial of Petitions against Lennox and Addington Election.

The House proceeded to the appointment of a Select Committee, to try and determine the merits of said Petitions.

The Serjeant-at-Arms was directed, by Mr. Speaker, to go with the Mace to the places adjacent and require the attendance of the Members, on the business of the House,

And he went accordingly,

And being returned, the House was called, and more than thirty members being present ;

Mr. Speaker called upon the Petitioners, their Counsel, or Agent, to appear at the Bar.

Mr. *Ham*, a Petitioner, on behalf of himself, and Mr. *Roblin*, in behalf of himself, and the other Petitioners, appeared at the Bar.

Mr. Ham and Mr. Roblin, appear at the Bar.

Mr. Speaker then called upon the sitting member, his Counsel or Agent, to appear at the Bar.

Mr. *Cartwright*, sitting member for the Incorporated Counties of *Lennox* and *Addington*, appeared at the Bar, in his own behalf.

Mr. Cartwright appears at the Bar.

Mr. *Hincks* presented a list of Witnesses in the case of the Petition of *Benjamin Ham*, and also of the petition of *David Roblin*, and others, which was read by the Clerk as follows :—

NAMES.	RESIDENCE.	NAMES.	RESIDENCE.
<i>John Dean</i> ,	Richmond.	<i>Mico Ham</i> ,	Fredericksburgh.
<i> Ezra D. Priest</i> ,	Bath.	<i>Elisha Sills</i> ,	do.
<i>Sebastian Hogle</i> ,	Ernest-town.	<i>Dorland Clapp</i> ,	do.
<i>David Roblin</i> ,	Richmond.	<i>Gabriel Balfour</i> ,	Bath.
<i>Henry Lasher</i> ,	Ernest-town.	<i>Jeremiah Anrey</i> ,	Ernest-town.
<i>Elijah Surtger</i> ,	do.	<i>Philip J. Roblin</i> ,	Ameliasburgh.
<i>Dafias C. Smith</i> ,	do.	<i>John Asselstine, jr.</i> ,	Ernest-town.
<i>Daniel Perry</i> ,	do.	<i>Loudwick (alias) Lewis</i>	
<i>Peter Empy</i> ,	do.	<i>Hartman</i> ,	do.

List of Witnesses in the behalf of the Petitions of Benjamin Ham, and David Roblin and others.

<i>Duncan McKenzie,</i>	Fredericksburgh.	<i>Allan McPherson, Esq.,</i>	Napanee.
<i>Peter Davy,</i>	Bath.	<i>Daly Hartman,</i>	Ernest-town.
<i>Nicholas Amey, Senr.,</i>	Ernest Town.	<i>Denis Lonas,</i>	do.
<i>Henry Taylor,</i>	Camden.	<i>George F. Corbett,</i>	Kingston.
<i>Robert Lowrey,</i>	Napanee.	<i>John McDowall,</i>	Ernest-town.
<i>J. Snider & wife Margaret,</i>	Ernest Town.	<i>Wilson Nelson,</i>	Ernest-town.
<i>Abraham Loucks,</i>	Fredericksburgh.	<i>Samuel Lockwood,</i>	do.
<i>Jeremiah Snider and wife,</i>	Ernest Town.	<i>Richard Ham,</i>	Fredericksburgh.
<i>Calvin Wheeler,</i>	Sheffield.	<i>Conrad Van Dusen,</i>	Bath.

Mr. *Cartwright* handed in a List of the Witnesses required in behalf of himself as the sitting member for the incorporated Counties of *Lennox* and *Addington*, which was also read by the Clerk, as follows:—

List of Witnesses to be called on the part and behalf of *John S. Cartwright*, Esquire, the sitting member for the incorporated Counties of *Lennox* and *Addington*, on the petition of *Benjamin Ham*, Esquire, and *David Roblin*, and others, complaining of the return of the said *John S. Cartwright*.

List of Witnesses in the behalf of Mr *Cartwright*, the sitting member for *Lennox* and *Addington*

NAMES.	RESIDENCE.	NAMES.	RESIDENCE.
<i>Charles Fraser,</i>	Ernest-town.	<i>Peter M. Davy,</i>	Camden.
<i>Elias Martin,</i>	do.	<i>George F. Amey,</i>	do.
<i>Charles Booth,</i>	do.	<i>William Dowdle,</i>	do.
<i>John Youngs,</i>	do.	<i>William Babcock,</i>	do.
<i>Jonathan Allen, Esq.</i>	Adolphustown.	<i>Jacob Miller,</i>	do.
<i>John Church, Esq.</i>	Fredericksburgh.	<i>William Gordon,</i>	Richmond.
<i>Peter V. Dorland, Esq.</i>	Adolphustown.	<i>Charles McGreer,</i>	do.
<i>A. G. Hamilton,</i>	Ernest-town.	<i>Aaron Oliphant,</i>	do.
<i>Robert Lourie,</i>	do.	<i>James Fraser, Esquire,</i>	Fredericksburgh.
<i>John McNeil,</i>	Richmond.	<i>William Hawley,</i>	do.
<i>Donald McPherson,</i>	Richmond.	<i>Samuel Casey, Esquire,</i>	Adolphustown.
<i>Rody Armitage,</i>	Ernest-town.	<i>John Madden,</i>	Ernest-town.
<i>John Armitage,</i>	do.	<i>Jacob B. Chamberlain, Esq.</i>	Fredericksburgh.
<i>Daniel Young,</i>	Richmond.	<i>Alex. Marguch,</i>	Napanee.
<i>William Sixsmith,</i>	do.	<i>Charles Stuart, Esquire,</i>	Kingston.
<i>Andrew Gerow,</i>	Aldophustown.	<i>Robert Esson,</i>	Napanee.
<i>Benjamin Babcock,</i>	Camden.	<i>William Templeton,</i>	Fredericksburgh.
<i>William McDonell,</i>	Fredericksburgh.	<i>James Clark,</i>	do.
<i>Charles Cheshire, Esq.</i>	Ernest-town.	<i>Robert Wales,</i>	do.
<i>Milo Parks,</i>	Fredericksburgh.	<i>Isaiah Abrahams</i>	Fredericksburgh.
<i>Isaac Fraser, Esq.</i>	Ernest-town.	<i>James Lapum,</i>	Ernest-town.
<i>Archibald D. Campbell,</i>	Fredericksburgh.	<i>Daniel Fraser, Jr.,</i>	do.
<i>Samuel Shrw,</i>	Richmond.	<i>John Spafford,</i>	do.
<i>S. S. Madden,</i>	do.	<i>Robert Bell,</i>	Richmond.
<i>Joseph Curd,</i>	Camden.	<i>Matthew Rutlan,</i>	Adolphustown.
<i>Valentine D. Embury,</i>	Richmond.	<i>Joseph Dowling,</i>	Camden.
<i>Thomas Mallett,</i>	Ernest-town.	<i>John Lewis Fralick,</i>	Ernest-town.
<i>Nicholas Peterson,</i>	Adolphustown.	<i>Colin McKenzie,</i>	do.
<i>James Fitchet,</i>	Fredericksburgh.	<i>Orris Wells,</i>	Camden.
<i>Boltus Shewman,</i>	do.	<i>Henry Graham,</i>	do.
<i>Robert Lapum,</i>	Ernest-town.	<i>Solomon Keskey,</i>	do.
<i>Richard Low, Esq.,</i>	Fredericksburgh.	<i>Abraham Dajoe,</i>	Fredericksburgh.
<i>Parker Allen,</i>	Adolphustown.	<i>William C. Sixsmith,</i>	Richmond.
<i>Jehiel Hawley,</i>	Fredericksburgh.	<i>Gilbert Marrikle,</i>	do.
<i>David Weese,</i>	Ernest-town.	<i>George Webster,</i>	Kingston.
<i>John W. Ferguson, Esq.,</i>	Adolphustown.	<i>Edward Howard,</i>	Amherst Island.
<i>Thomas Howard,</i>	Fredericksburgh.	<i>Allan McPherson, Esq.,</i>	Napanee.
<i>do.</i>	do.	<i>Samuel Clark, Esquire,</i>	Camden.
<i>John Huffman,</i>	Fredericksburgh.	<i>Richard Ham,</i>	Fredericksburgh.
<i>George Coulson,</i>	do.	<i>William S. McKay, Esq.,</i>	Bath.
<i>John Perry,</i>	Ernest-town.	<i>James Shaw,</i>	Ernesttown.
<i>James Demorest,</i>	Richmond.	<i>Thomas Evans,</i>	Camden.
<i>Joseph Allen,</i>	Adolphustown.	<i>George Mills,</i>	Napanee.
<i>John Bower,</i>	Richmond.	<i>William Spence,</i>	Kingston.
<i>William Allen,</i>	Camden.	<i>David Bell,</i>	Camden.
<i>Carson Straiton,</i>	Richmond.	<i>William Hannah,</i>	do.
<i>Hugh Davy,</i>	Camden.	<i>Joseph Dulmage,</i>	do.

NAMES.	RESIDENCE.	NAMES.	RESIDENCE.
<i>William Close,</i>	Ernest-town.	<i>Angus McKay,</i>	Amherst Island.
<i>Timothy Fraser,</i>	do.	<i>Samuel Dorland, Esquire,</i>	Adolphustown.
<i>Alexander Campbell,</i>	Richmond.	<i>Elijah Youngs,</i>	Fredericksburgh.
<i>Charles Fox,</i>	Fredericksburgh.	<i>Hon. John Kirby,</i>	Kingston.
<i>Sebastian Hogle, Senr.,</i>	Ernest-town.	<i>John R. Forsyth, Esquire,</i>	do.
<i>Richard D. Finlay, Esq.,</i>	Camden.	<i>George Baker, Esquire,</i>	do.
<i>Jonathan Atkins,</i>	do.	<i>George A. Scriven, Esq.,</i>	do.
<i>Jacob Drope,</i>	do.	<i>Angus Cameron, Esquire,</i>	do.
<i>Robert Spence,</i>	Richmond.	<i>Hugh McDonald, Esquire,</i>	do.
<i>Archibald Campbell, Jr.,</i>	Adolphustown.	<i>James Briggs,</i>	do.
<i>James Hart,</i>	Fredericksburgh.	<i>George McCrably,</i>	do.
<i>Joseph Tait,</i>	Camden.	<i>John Fennell,</i>	Richmond.
<i>Samuel Sixsmith,</i>	Sheffield.	<i>Andrew Russell,</i>	Camden.
<i>Joseph Lee,</i>	Ernest-town.	<i>Andrew Ramsay,</i>	do.
<i>John McLaughlin,</i>	Camden.	<i>David Hess,</i>	Fredericksburgh.
<i>William Washburn,</i>	do.	<i>Thomas J. Dorland,</i>	Adolphustown.
<i>Hugh Evans,</i>	do.	<i>John A. McDonald, Esq.,</i>	Kingston.
<i>John O. Butler,</i>	do.	<i>Samuel Anning,</i>	do.
<i>Lyman Amey,</i>	do.	<i>Elijah Beach,</i>	do.
<i>Peter Baker,</i>	do.	<i>Hugh Calder,</i>	do.
<i>William J. Spruce,</i>	do.	<i>James Linton,</i>	do.
<i>William Dowling,</i>	do.	<i>James Kirk,</i>	do.
<i>Amerett Amey,</i>	do.	<i>James Ives,</i>	do.
<i>Francis R. Purcell,</i>	do.	<i>George Ives,</i>	do.
<i>David Kelley,</i>	do.	<i>Arthur Hall,</i>	Fredericksburgh.
<i>Henry Baker, Senr.,</i>	Ernest-town.	<i>Hugh Patterson,</i>	Amherst Island.
<i>Allan M. Fraser,</i>	do.	<i>Anson Blanchard,</i>	Fredericksburgh.
<i>Antoine Dennis,</i>	Amherst Island.	<i>Henry A. Hart,</i>	Adolphustown.
<i>John Bell,</i>	Ernest-town.	<i>Christian Vankoughnett,</i>	Fredericksburgh.
<i>Jacob Loucks,</i>	Sheffield.	<i>William Parks,</i>	Richmond.
<i>William Sager,</i>	Richmond.	<i>Jacob Shaw,</i>	Fredericksburgh.
<i>Duncan McKenzie,</i>	Fredericksburgh.	<i>William H. Clark,</i>	Camden.
<i>Lewis Chamberlain,</i>	Sheffield.	<i>George J. Beamish,</i>	Ernest-town.
<i>John Hinch,</i>	Camden.	<i>Thomas Hinch,</i>	Camden.
<i>John Kimmerly,</i>	Richmond.	<i>Anthony Denike,</i>	Fredericksburgh.
<i>Thaddeus O. Pruyn,</i>	Fredericksburgh.	<i>Roderick M. Rose,</i>	Kingston.
<i>William Howard,</i>	Amherst Island.	<i>Richard Davern,</i>	Adolphustown.
<i>Richard Fraser,</i>	Ernest-town.	<i>David Foot,</i>	Richmond.
<i>Thomas Little,</i>	do.	<i>Nathaniel Kerr,</i>	Amherst Island.
<i>Dr. Samuel Murray,</i>	Camden.	<i>Henry Pringle,</i>	Richmond.
<i>John Bowen,</i>	Richmond.	<i>Edward Jenkins,</i>	do.
<i>Frederick Olives,</i>	do.	<i>Asa B. Hough,</i>	Kingston.
<i>James Black,</i>	Camden.	<i>William Wilkinson,</i>	Richmond.
<i>James Macaulay,</i>	Ernest-town.	<i>Samuel Clark,</i>	Ernest-town.
<i>Alexander Greer,</i>	Camden.	<i>John Bush,</i>	Fredericksburgh.
<i>John Dettlor,</i>	do.	<i>David L. Thorp,</i>	Pictou.
<i>John McLean,</i>	Ernest-town.	<i>William Gannon,</i>	Fredericksburgh.
<i>George Miller,</i>	do.	<i>Peter Amey,</i>	Ernest-town.
<i>John Hosey,</i>	Richmond.	<i>Edward Allen,</i>	Amherst Island.
<i>William Summerville,</i>	Ernest-town.	<i>William Fell,</i>	Napanee.
<i>James Sproul, Jr.,</i>	do.	<i>Isaac Woodcock,</i>	Richmond.
<i>William Bush,</i>	Camden.	<i>John Switzer,</i>	Camden.
<i>Francis Marvin,</i>	Fredericksburgh.	<i>James Prampour,</i>	Adolphustown.
<i>John Jayne,</i>	do.	<i>Thomas Dryden,</i>	Fredericksburgh.
<i>James Campbell,</i>	do.	<i>Samuel Stewart,</i>	Ernest Town.
<i>John Kennie,</i>	do.	<i>Thomas Dier,</i>	Richmond.
<i>William M. C. Bell,</i>	do.	<i>Isaac B. Hough,</i>	Camden.
<i>Henry Neely,</i>	do.	<i>Orton Hancox, Esq.,</i>	Bath.
<i>James Sproul, Senr.,</i>	Ernest-town.	<i>Archibald Cars-cullen,</i>	Camden.
<i>George Howard,</i>	Amherst Island.	<i>Abraham Loucks,</i>	Fredericksburgh.
<i>Jacob Dettlor,</i>	Fredericksburgh.	<i>Isaac Cars-cullen,</i>	do.
<i>Albert Lockwood,</i>	Ernest-town.	<i>George Embury,</i>	Richmond.
<i>Daniel McBride,</i>	Richmond.	<i>Arthur Foster,</i>	Kingston.
<i>Richard Hitchins, Esquire,</i>	Amherst Island.	<i>James Garrett,</i>	Camden.
<i>Archibald Campbell, Senr.,</i>	Adolphustown.	<i>Peter Embury,</i>	do.
<i>John W. Empey,</i>	Richmond.	<i>Edmund J. Sisson, Esq.,</i>	do.
<i>Thomas Campbell,</i>	Camden.	<i>Jacob Sriver,</i>	Fredericksburgh.
<i>John Asselstine,</i>	Ernest-town.	<i>Garrett Bush,</i>	Ernest Town.
<i>John Hitchins,</i>	Amherst Island.	<i>Peter McBride,</i>	Fredericksburgh.

List of Witnesses in the behalf of Mr. Cartwright, the sitting member for Lennox and Addington.

List of Witnesses in the behalf of Mr. Cartwright, the sitting member for Lennox and Addington.

NAMES.	RESIDENCE.	NAMES.	RESIDENCE.
<i>Dr. Robert Stewart,</i>	Bath.	<i>Andrew Wilde,</i>	Fredericksburgh.
<i>Amos Richardson,</i>	Fredericksburgh.	<i>John J. Watson,</i>	Adolphustown.
<i>Gilbert Griffiths,</i>	do.	<i>Thomas Empey,</i>	Ernest-town.
<i>Belyat Outwater,</i>	do.	<i>Averill Miller,</i>	Camden.
<i>Joseph Peters, Jr.,</i>	Ernest Town.	<i>Miles Shorey, Jr.,</i>	Richmond.
<i>Eli Peters,</i>	do.	<i>John Adam Krein, Esquire,</i>	Ernest-town.
<i>Milton Fisk,</i>	do.	<i>Dr. Thos. W. Robison,</i>	Kingston.
<i>Thomas Downey,</i>	Fredericksburgh.	<i>James Vandewater,</i>	Fredericksburgh.
<i>John Hawley,</i>	Richmond.	<i>Paul Wright,</i>	Richmond.
<i>Thomas Shandon,</i>	Camden.	<i>John Haselip,</i>	Kingston.
<i>David L. Fairfield,</i>	Picton.	<i>Robert Patterson,</i>	Amherst Island.
<i>Charles Costello,</i>	Camden.	<i>John Empey, Senr.,</i>	Richmond.
<i>Thomas Judge,</i>	do.	<i>Andrew Rikely, Senr.,</i>	Fredericksburgh.
<i>John Snider,</i>	Ernest Town.	<i>Jacob Rikely,</i>	do.
<i>Stephen Youngs,</i>	Fredericksburgh.	<i>Joshua Cadmar,</i>	do.
<i>Timothy Hartman,</i>	Ernest-town.	<i>John Miller,</i>	do.
<i>Hugh Lettis,</i>	do.	<i>Edward Bell,</i>	do.
<i>Jacob Hartman, Senr.,</i>	do.	<i>Adam Sager,</i>	Richmond.
<i>John Abraham,</i>	do.	<i>George Rouse,</i>	Ernest-town.
<i>Edward Snider,</i>	do.	<i>Peter Loyst,</i>	Fredericksburgh.
<i>George Smith,</i>	Fredericksburgh.	<i>Andrew Diamond,</i>	do.
<i>Henry Carswell,</i>	Camden.	<i>David John Smith, Esq.,</i>	Kingston.
<i>Noah Fraser,</i>	Fredericksburgh.	<i>John Brown,</i>	Richmond.
<i>Cyrus Pringle,</i>	do.	<i>Peter Outwater,</i>	Adolphustown.
<i>William Wager,</i>	do.	<i>Staats J. Sager,</i>	Richmond.
<i>Andrew Embury,</i>	do.	<i>David B. Stevenson,</i>	Picton.
<i>George Harwood,</i>	do.	<i>Frederick Hessford,</i>	Richmond.
<i>William Nugent,</i>	Camden.	<i>Nicholas Vandebogart,</i>	do.
<i>Barney Wemp,</i>	Amherst Island.	<i>Abraham De Witt,</i>	Ernest-town.
<i>John Hicks,</i>	Ernest-town.	<i>Fletcher E. Miller,</i>	Camden.
<i>Mathias Badgely,</i>	do.	<i>James Badshaw,</i>	Adolphustown.
<i>Abraham Amey,</i>	do.	<i>John Outwaters,</i>	do.
<i>John Jenkins,</i>	do.	<i>John Davy,</i>	Fredericksburgh.
<i>John Amey,</i>	do.	<i>John P. Trumpour,</i>	Adolphustown.
<i>John Huffman,</i>	do.	<i>Edward Savage,</i>	Kingston.
<i>John Sharp,</i>	do.	<i>George Loucks,</i>	Camden.
<i>John Stover, Senr.,</i>	Ernest-town.	<i>Henry Taylor,</i>	Ernest-town.
<i>Henry Hutchins,</i>	do.	<i>Daniel Fraser,</i>	do.
<i>Isaac Preston,</i>	Amherst Island.	<i>Justus Bartles,</i>	do.
<i>Abraham Snider,</i>	Ernest-town.	<i>George Chamberlain,</i>	Richmond.
<i>Peter Bartin,</i>	Richmond.	<i>Philip Garrison,</i>	Fredericksburgh.
<i>Henry Hess,</i>	Ernest-town.	<i>John Gordanier,</i>	Ernest-town.
<i>Hammell Madden,</i>	Campbell.	<i>William Clark,</i>	do.
<i>John Miligan,</i>	Amherst Island.	<i>James McGill,</i>	Camden.
<i>Henry Smith,</i>	do.	<i>James Bradford,</i>	do.
<i>William Gibson,</i>	do.	<i>James M. Williams,</i>	do.
<i>George Clark,</i>	Camden.	<i>Henry Loyst,</i>	Fredericksburgh.
<i>Timothy Chambers,</i>	Fredericksburgh.	<i>John C. Clark,</i>	Ernest-town.
<i>Edward Shultz,</i>	Lot. 23. 4. Con.	<i>Rev. Robt. D. Cartwright,</i>	Kingston.
<i>James Huffman,</i>	Ernest-town.	<i>Douglas Prentiss,</i>	do.
<i>Joseph N. Amey,</i>	Sheffield.	<i>Fletcher Empey,</i>	Richmond.
<i>George Patterson,</i>	Ernest-town.	<i>Thomas Greer,</i>	Kingston.
<i>John Livingston,</i>	do.	<i>Lewis Fe tz,</i>	Fredericksburgh.
<i>Nathaniel Graham,</i>	do.	<i>Henry McLean,</i>	Ernest-town.
<i>David Parks,</i>	Camden.	<i>Thomas Brown,</i>	Camden.
<i>William Gelson,</i>	Fredericksburgh.	<i>Michael McNulty,</i>	do.
<i>Alexander McHenry,</i>	Amherst Island.	<i>Benjamin Booth,</i>	Ernest-town.
<i>Samuel Detlor,</i>	Fredericksburgh.	<i>Luke Carscallen,</i>	Fredericksburgh.
<i>Thomas Baxter,</i>	do.	<i>Michael Huffman,</i>	do.
<i>Timothy Chambers,</i>	do.	<i>Isaac Briscoe,</i>	Ernest-town.
<i>James Canniff,</i>	Adolphustown.	<i>Michael Asselstine, Esquire</i>	do.
<i>Archibald McNeil, Esq.,</i>	Richmond.	<i>Daniel Dufoc,</i>	Fredericksburgh.
<i>John Benson,</i>	Napanee.	<i>David Barker,</i>	Picton.
<i>Donald McKenzie, Esq.,</i>	Belleville.	<i>Samuel Lockwood,</i>	Ernest-town.
<i>Robert Preston,</i>	Amherst Island.	<i>Jacob McDonald,</i>	Camden.
<i>Thomas Walden,</i>	Richmond.	<i>Thomas M. Outwaters,</i>	Fredericksburgh.
<i>Rev. Job Deacon,</i>	Aldophustown.	<i>James McConnell,</i>	Ernest-town.
<i>Samuel Barry,</i>	Amherst Island.	<i>Thomas Douglass,</i>	Fredericksburgh.
		<i>James Cotter, Esquire,</i>	Sophiasburgh, P. Ed. Dist.

NAMES.	RESIDENCE.	NAMES.	RESIDENCE.	List of Witnesses in the behalf of Mr. Cartwright, the sitting member for Lennox and Addington.
Edward Swain,	Ernest-town.	Abraham Irish,	Ernest-town.	
David M. Wharter,	Marysburgh, P. Ed. Dist.	Samuel H. Lockwood,	do.	
Richard Pringle,	Richmond.	Jonathan Parrott,	do.	
Aaron D. Dougall,	Pictou.	Nicholas Snider, jr.,	do.	
Patrick Murphy,	Camden.	Weedon Walker,	do.	
William Wayland,	do.	Charles Walker,	do.	
John Dowling,	do.	Peter Huffman,	Camden.	
George Sriver,	Fredericksburgh.	Wilson Nelson,	do.	
Jacob Snider,	Ernest-town.	John Hopper,	Fredericksburgh.	
Eli Peters, Jr.,	do.	William N. Rombough,	do.	
William McKee,	do.	Frederick Creighton,	do.	
John Embury,	Richmond.	James Chamberlain,	do.	
Richard Grange,	Fredericksburgh.	William Edgar,	do.	
Jacob Hoover,	Adolphustown.	Philip Edgar,	do.	
Stephen Griffis,	do.	George Clark,	Sheffield.	
John Mullett,	do.	John Woodcock,	do.	
Abraham Bowen,	Richmond.	Donald Stewart,	Napanee.	
Thomas Baker,	Camden.	Valentine Stover,	Ernest Town.	
George Reynolds,	do.	Jacob Hartman, jr.,	do.	
Daniel Bower,	do.	Luther Gaylord,	do.	
George Baker,	Ernest-town.	Joshua B. Lockwood,	Camden.	
William Davidson,	do.	Henry Parrott,	Ernest-town.	
John S. Brown,	do.	Andrew Kerr, Esquire,	Marysburgh.	
Samuel D. Purdy,	do.	William Napier,	Camden.	
Anthony Murray,	Richmond.	John McMahon,	do.	
Neil McNeil, jr.,	do.	Peter S. Kellar,	do.	
J. C. Penny,	Camden.	Francis Burns,	do.	
Thomas Wilson,	do.	Joseph Dope,	do.	
Robert Grange,	do.	Robert Reid,	do.	
Hugh Hughes,	do.	George Bowers,	Fredericksburgh.	
Ralph Purdy, Esquire,	Sidney, Victoria District.	Conrad Sills,	do.	
George Harwood,	Fredericksburgh.	John Loyst,	do.	
William Griffis,	do.	Abraham Loyst,	do.	
Martin Hughes,	do.	Charles McDonell,	Richmond.	
Benjamin Seymour, Esq.,	Bath.	Gilbert McGreer,	do.	
William G. Bartles,	Fredericksburgh.	John Bogert,	Adolphustown.	
John M. Files,	do.	Henry Davis,	do.	
James Joyce,	do.	Alpheus Miller,	Ernest-town.	
Edward Henderson,	Ernest-town.	Thomas Hishon,	do.	
Nicholas Amey,	do.	Thomas D. Clark,	do.	
Lewis Hartman,	do.	Joseph Dennee,	do.	
James Brandon,	do.	Jacob Van Cleak,	do.	
Isaac F. Hiller,	do.	Charles McGuin,	do.	
William Bowen,	do.	Hazleton Walker,	do.	
Peter Simmons,	Richmond.	Jeremiah Snider,	do.	
Archibald Reid,	do.	George Snider,	do.	
Peter Bowen,	Camden.	Francis Demorest,	Richmond.	
David Shibley,	do.	Abra Gould,	do.	
Hugh Miligan,	Ernest Town.	David B. Brown,	Fredericksburgh.	
Abraham Hagerman,	do.	Alexander Shaw,	do.	
John Hagerman,	do.	Robert Dawling,	Camden.	
Alexander Gordon,	do.	Thomas Murphy,	do.	
George Finkle,	do.	Michael Dawling,	do.	
James Stalker,	do.	John Hynch,	Adolphustown.	
Elius Price,	do.	William Green,	Fredericksburgh.	
William Miller,	do.	William McPherson,	do.	
John Amey,	do.	James Fitchett, jr.,	do.	
David Boyce,	do.	Ven. George Okill Stuart,	Kingston.	
Joseph Losee,	do.	Arthur Mohan,	Ernest-town.	
Samuel Baldwin,	do.	Peter Davy,	do.	
Ephraim A. Dunham,	Richmond.	William Clough,	do.	
Daniel Pringle,	do.	Jacob Stover,	do.	
Jonas Van Alstine,	Bath.	John Hess,	do.	
John Cornell,	Fredericksburgh.	Thomas Scott,	Amherst Island.	
Peter Parks,	do.	Paul Trumpour,	Adolphustown.	
Joseph Purdy,	do.	Christopher Scrimshaw,	Richmond.	
Abraham Amey, jr.,	Ernest-town.	Allan McDonell, Esquire,	Sheriff of the Mid. Dist., Kingston.	
	do.	Thomas A. Corbett, Esq.,	Kingston.	

NAMES.	RESIDENCE.	NAMES.	RESIDENCE.
<i>Francis Manning Hill,</i>	Kingston.	<i>Thomas Kirkpatrick, Esq.,</i>	Kingston.
<i>Alexander Hugh Dobbs,</i>	do.	<i>Jno Alex. Macdonald, Esq.</i>	do.
<i>William McKay,</i>	Bath.	<i>William Johnson Fairfield,</i>	Bath.

Doors locked.

Mr. Speaker then desired the Sergeant-at-Arms to lock the doors ; which being done, Mr. Speaker directed the Clerk to read the order for taking the said Petition into consideration, and the same being accordingly read, and the attestation of the Speaker being taken from off the Box, in which, agreeably to the Statute, the names of all the members of the House were sealed up ; the same was read by the Clerk as follows :—

Attestation of the Speaker read by the Clerk

“ I attest that this Box was, on the 30th day of June, 1841, made up in my presence, in the manner directed by an Act passed in the fourth year of the Reign of His late Majesty, GEORGE the 4th, intituled, “ *An Act to repeal an Act passed in the forty-fifth year of His late Majesty’s Reign,* intituled, “ *An Act to regulate the trial of controverted elections, or returns of Members to serve in the House of Assembly, and to make more effectual provision for such trials.* ”

AUSTIN CUVILLIER.

Speaker.

The Box was then opened, and the attestation of the Clerk was taken out of the Box, and read by him as follows :—

Attestation of Clerk read.

“ I attest that I did, on Wednesday, the *thirtieth* day of *June*, 1841, in presence of the Speaker of this House, put into a Box, in which this attestation is found, the names of all the members composing the present Legislative Assembly, written upon slips of parchment and rolled up as directed by An Act passed in the fourth year of the Reign of His late Majesty, King GEORGE the Fourth, intituled, ‘ *An Act to repeal an Act, passed in the Forty-fifth year of His late Majesty’s Reign,* entitled, “ *An Act to regulate the trial of controverted Elections, or returns of members to serve in the House of Assembly, and to make more effectual provision for such trials.* ”

(Signed)

W. B. LINDSAY,

Clk. Assy.

The names of the Members were taken out of the Box and put into three other boxes.

The drawing of the names was then proceeded in, and the following were drawn, to which no objection was made :—

1 <i>McLean,</i>	7 <i>Price,</i>	13 <i>Holmes,</i>	19 <i>Aylwin,</i>
2 <i>Johnston,</i>	8 <i>Sir A. MacNab,</i>	14 <i>Berthelot,</i>	20 <i>Noel,</i>
3 <i>Crane,</i>	9 <i>Her. Smith,</i>	15 <i>Durand,</i>	21 <i>Child,</i>
4 <i>Christie,</i>	10 <i>Hon. D. Daly,</i>	16 <i>Barthe,</i>	22 <i>Black,</i>
5 <i>Taché,</i>	11 <i>Steele,</i>	17 <i>Gilchrist,</i>	23 <i>Robertson.</i>
6 <i>Boutillier,</i>	12 <i>Roblin,</i>	18 <i>Hincks,</i>	

Clerk to Com retires with the parties, to strike off names until reduced to 9.

At a quarter before *four* o’Clock, P. M., the parties, with *Alfred Patrick,* Clerk to the Select Committee, retired for the purpose of striking said Committee.

The names of the Members remaining in the boxes, undrawn, were read by the Clerk.

2nd reading Aliens Estate bill, postponed.

The order of the day for the second reading of the bill to enable aliens to hold real estate in this Province, being read,

Ordered—That the said order of the day be postponed, until the eighth instant.

Canada Assurance Company bill, read second time.

A Bill for incorporating the *Canada* Fire Assurance Company was, according to order, read a second time.

That the said Bill be referred to a Committee of the whole House, on *Wednesday* next.

At a quarter past *four* o'clock, P. M., the Clerk to the Select Committee delivered to the Clerk of the House a list containing the names of the *nine* Members unstruck, composing the Select Committee ; which is as follows :

The names of the members remaining on the list, to try the merits of the Petitions of *Benjamin Ham*, Esq., and of *David Roblin* and others, complaining of the Return of *John Solomon Cartwright*, Esq., to serve as Representative for the incorporated Counties of *Lennox* and *Addington*, in this present parliament—

1 <i>Crane</i> ,	4 <i>Berthelot</i> ,	7 <i>Aylwin</i> ,
2 <i>Taché</i> ,	5 <i>Roblin</i> ,	8 <i>Noel</i> ,
3 <i>Boutillier</i> ,	6 <i>Daly</i> ,	9 <i>Child</i> .

Mr. *Small*, Nominee for the Petitioners.

Mr. Attorney General *Draper*, Nominee, for sitting Member.

ALFRED PATRICK.

Clerk to Committee.

The said *nine* Members, and the Nominees, were then severally sworn at the table, by the Clerk, in the usual manner.

Members of Select Com. sworn.

On motion of Mr. *Hincks*, seconded by Mr. *Small*,

Ordered—That the Committee appointed to try the Petitions of *Benjamin Ham*, Esq., and of *David Roblin*, Esq., and others, complaining of the undue election and return of *John Solomon Cartwright*, Esq., do meet forthwith, in a Committee Room, up stairs.

Committee to meet forthwith.

The order of the day for the second reading of the Bill to permit *Robert John Turner*, to practice as Solicitor, in the Court of Chancery, being read,

Ordered—That the said order of the day be postponed until *to-morrow*.

Second reading Turner's relief bill postponed.

A Bill for the establishment of Anatomical Schools, and for the encouragement of Anatomical Science, was, according to order, read a second time.

Anatomical School bill read second time, and referred to a select committee.

Resolved—That the said bill be referred to a Select Committee of five members, to report thereon with all convenient speed ; with power to send for persons, papers, and records.

Ordered—That Mr. *Simpson*, Mr. *Boutillier*, Mr. *Hermanus Smith*, Mr. *Taché*, and Mr. *Foster* do compose the said Committee.

Committee formed.

The Order of the day for the House in Committee to consider the orders adopted by the late House of Assembly of *Lower Canada*, for regulating its proceeding in cases of contested elections, in that Province, being read.

Order of the day on Lower Canada Election proceedings postponed.

Ordered—That the said Order of the day be postponed, until to-morrow.

On motion of Mr. *Small*, seconded by Mr. *Hincks*,

Ordered—That the Speaker be directed to issue summonses, to the Petitioners and sitting member, for the incorporated counties of *Lennox* and *Addington*, for the attendance of such Witnesses as they shall require before the select Committee appointed to try the matter of the petition complaining of the undue election and return of *John S. Cartwright*, Esq.

Speaker to issue summonses to Petitioners and sitting member.

The Order of the day for the House in Committee on the second report of the Standing Committee appointed to superintend the printing of the House during the session, being read.

House in committee of whole, on report of printing committee

The House accordingly resolved itself into the said Committee.

Mr. *Gilchrist* took the chair of the Committee, and, after some time spent therein,

Resolution reported.

Mr. Speaker resumed the Chair, and Mr. *Gilchrist* reported that the Committee had come to a resolution, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered—That the report be receive *to-morrow*.

The Order of the day for the House in Committee, on the report of Special Committee to which was referred the subject of the subscription of the House to the public Newspapers of the Province, being read.

House in com. on report of special com. on subscription for newspapers.

The House accordingly resolved itself into the said Committee.

Mr. *Armstrong* took the Chair of the Committee, and after some time spent therein,

Resolution reported.

Mr. Speaker resumed the Chair.

Mr. *Armstrong* reported that the Committee had come to a Resolution, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Mr. Speaker having put the question,

“Is it the pleasure of the House to receive the Report of the Committee?”

The House divided on the question, and the names being called for, they were taken down as followeth :

YEAS.

<i>Armstrong,</i>	<i>Durand,</i>	<i>Morris,</i>	<i>Smith, (Went.)</i>
<i>Baldwin,</i>	<i>Gilchrist,</i>	<i>Parent,</i>	<i>Steele,</i>
<i>Berthelot,</i>	<i>Hincks,</i>	<i>Powell,</i>	<i>Taché,</i>
<i>Boswell.</i>	<i>Holmes,</i>	<i>Price,</i>	<i>Thompson,</i>
<i>Boutillier,</i>	<i>Hopkins,</i>	<i>Prince,</i>	<i>Thorburn,</i>
<i>Buchanan,</i>	<i>Killaly, Hon.H.H.</i>	<i>Raymond,</i>	<i>Turcotte,</i>
<i>Child,</i>	<i>MacNab, Sir.A.N.</i>	<i>Roblin,</i>	<i>Viger. Hon.D.B.</i>
<i>Dunn, Hon.J.H.</i>	<i>Merritt,</i>	<i>Smith, (Fron.)</i>	(31)

NOES.

<i>Burnet,</i>	<i>Dunscomb,</i>	<i>Johnston,</i>	<i>Noel,</i>
<i>Christie,</i>	<i>Foster,</i>	<i>McLean,</i>	<i>Small,</i>
<i>De Salaberry,</i>	<i>Hale,</i>	<i>Moffatt, Hon. Geo.</i>	<i>Watts—12</i>

So it was carried in the affirmative, and

Ordered—That the Report be received *to-morrow*.

Then, on motion of Mr. *Price*, seconded by Mr. *Morris*,
The House adjourned.

Veneris 2^o die Junii ;

Anno 5^o Victoriae Reginae, 1841.

Mr. *Aylwin*, from the Select Committee appointed for taking into consideration the petition of *Benjamin Ham*, of the township of *Ernesttown*, and the Petition of *David Roblin*, and others, freeholders of the incorpo-

rated counties of *Lennox* and *Addington*, in the *Midland* District, complaining of the undue election of *John Solomon Cartwright*, Esq., as a member to represent the said incorporated counties, reported, from the said committee, the following resolution, which was again read at the Clerk's table and agreed to by the House :

Resolved—That a Member of the House having offered himself as Counsel for the Petitioners, it is the opinion of this Committee that no member of the House should be received and heard before them, either as Counsel for the sitting member or any party petitioning against his return.

Resolution reported from select com. for trial of *Lennox* and *Addington* election.

The following Petitions were severally brought up and laid on the table :

Petitions brought up

By Mr. *Raymond*, the petition of the Trustees of the College of *L'Assomption*.

Trustees of College *L'Assomption*.

By the Honourable Mr. *Viger*, the Petition of *Jacob Glen* and others, Proprietors of lands and building lots on the Basin of *Chambly*.

Jacob Glen, and others.

By Mr. *De Salaberry*, the Petition of *Jean Baptiste René Hertel De Rouville*, Seigneur of *Rouville*, in the District of *Montreal*,—and the Petition of *Samuel Andres*, and *Stephen R. Andres* of *Chambly*.

J. B. R. Hertel De Rouville, Seigneur of *Rouville*.
S. Andres, and *S. R. Andres*.
Rev. *Wm. Bell*.

By Mr. *Cameron*, the Petition of Rev. *William Bell*, of *Perth*.

J. W. Woolsey, and others.

By Mr. *Burnet*, the Petition of *John William Woolscy*, and others, of the city of *Quebec*.

E. G. O'Brien, and others.

By Captain *Steele*, the Petition of *Edward G. O'Brien*, and others, Justices of the Peace for the county of *Simcoe*.

Alexander Reid, and others.

By Mr. *Moore*, the Petition of *Alexander Reid*, and others, forming the temporary committee for making a rail-road from *Sherbrooke* to the *Richelieu*.

An engrossed Bill to amend an Act of that part of the Province formerly called *Upper Canada*, entitled "*An Act to provide for the making and keeping in repair the West Gwillimbury Road and Bridge, and to authorize the erection of a toll-gate thereon,*" was read for the third time.

Resolved—That the bill do pass.

Gwillimbury Road Bridge bill passed.

Ordered—That Captain *Steele* do carry the said Bill to the Legislative Council, and desire their concurrence.

Pursuant to the order of the day, the following Petitions were read:—

Petitions read.

Of the Reverend *William Shorts*, of *Williamsburg*, praying to be naturalized.

Rev. *Wm. Shorts*.

Of *W. W. Baldwin*, and others, of the county of *York*, and city of *Toronto*; setting forth:—That great violence and intimidation were used at the late Elections in the county of *York*, and city of *Toronto*, causing destruction of property and loss of life by persons designating themselves *Orange-men*, and praying for their suppression.

W. W. Baldwin, and others.

Of *Mungo Murray*, and other inhabitants of *Shoolbred*, on the *Ristigouche*, county of *Bonaventure*, praying assistance for opening a road from *Cross Point*, to *Carleton*, in said county.—(Mr. *Christie*, acquainted the House, that His Excellency the Governor General had been pleased to give his consent that the House may proceed upon the said Petition as they shall think fit.)

Mungo Murray, and others.

Of *Norman M'Leod*, and others, residing on the River *Ristigouche*, praying assistance to open a road from *Cross Point* to *Carleton*.—(Mr. *Christie*, acquainted the House, that His Excellency the Governor General had been pleased to give his consent that the House may proceed upon the said petition as they shall think fit.)

Norman M'Leod, and others.

Of the President, Directors and Company of the Bank of *Upper Canada*, praying that the stock of said Bank may be increased to £500,000.

President and Directors of Bank of U.C.

Of the President, Directors and Company of the Bank of *Upper Ca-*

President and Directors of Bank of Upper Canada.

nada, praying that the section of the Act of Incorporation of said Bank requiring its principal place of business to be at the Seat of Government may be repealed.

A. V. V. Pruyn.

Of *Abraham Van Vleck Pruyn*, of the town of *Picton*, Physician, praying to be naturalized.

A. H. Blake.

Of *Ahira H. Blake*, of the town of *Picton*, Teacher, praying to be naturalized.

President and Directors of Bank of Montreal.

Of the President and Directors of the Bank of *Montreal*, praying that the period of its charter may be extended,—that its corporate powers may extend to the whole Province, and that its capital stock may be increased.

Petition of A. M. Farewell, Abraham Butterfield and others, referred to a select committee

Resolved—That the Petition of *A. M. Farewell, Abraham Butterfield*, and others, of the townships of *Whitby*, and *Dartington*, presented to the House on the first instant, be referred to a committee of three members, to examine the contents thereof, and report thereon with all convenient speed, by Bill or otherwise; with power to send for persons, papers and records.

Committee formed.

Ordered—That *Mr. Small, Mr. Merritt, and Mr. Baldwin*, do compose the said committee.

Statement of affairs of Commercial Bank laid before the House.

Mr. Speaker laid before the House a General Statement of the affairs of the Commercial Bank of the *Midland* District, received in conformity to an Order of this House of the *twenty-fifth of June* last.

For the said Statement see Appendix (C.)

Petition of President and Directors of Bank of U. C., referred to select committee.

Mr. *Roblin* moved, seconded by Mr. *Hincks*, that the petition of the President, Directors and Company, of the Bank of *Upper Canada*, praying that the section of the Act of Incorporation of said Bank, requiring its principal place of business to be at the seat of Government, may be repealed, be referred to a select Committee to examine the contents thereof; with power to send for persons, and papers, and to report, from time to time, by Bill or otherwise, and that the said Committee shall consist of the Honorable Mr. *Dunn*, Mr. *Cartwright*, Mr. *Holmes*, Mr. *Hincks*, Mr. *Merritt*, Mr. *Buchanan*, Mr. *Morris*, and Mr. *Dunscomb*, and that the *seventy-seventh* Rule of this House be dispensed with so far as relates to this motion.

The House divided on the motion, and the names being called for, they were taken down, as followeth:—

YEAS.

<i>Baldwin,</i>	<i>Dunscomb,</i>	<i>McDonald, (Pres.)</i>	<i>Simpson,</i>
<i>Boswell,</i>	<i>Duggan,</i>	<i>McDonald, (Glen.)</i>	<i>Small,</i>
<i>Buchanan,</i>	<i>Durand,</i>	<i>McLean,</i>	<i>Smith, (Fron.)</i>
<i>Burnet,</i>	<i>Gilchrist,</i>	<i>Merritt,</i>	<i>Smith, (Went.)</i>
<i>Cameron,</i>	<i>Hale,</i>	<i>Morris,</i>	<i>Sherwood,</i>
<i>Cartwright,</i>	<i>Hincks</i>	<i>Powell,</i>	<i>Steele,</i>
<i>Christie,</i>	<i>Holmes,</i>	<i>Prince,</i>	<i>Thorburn,</i>
<i>Crane,</i>	<i>Hopkins,</i>	<i>Quesnel,</i>	<i>Turcotte,</i>
<i>Derbishire,</i>	<i>Johnston,</i>	<i>Raymond,</i>	<i>Watts,</i>
<i>De Salaberry,</i>	<i>Killaly, Hon. H. H.</i>	<i>Roblin,</i>	<i>Woods,—42</i>
<i>Dunn, Hon. J. H. MacNab, Sir A. N.</i>			

NOES.

<i>Armstrong,</i>	<i>Child,</i>	<i>Moore,</i>	<i>Ruel,</i>
<i>Aylwin,</i>	<i>Daly, Hon. D.</i>	<i>Neilson,</i>	<i>Small,</i>
<i>Barthe,</i>	<i>Delisle,</i>	<i>Noel,</i>	<i>Taché,</i>
<i>Berthelot,</i>	<i>Draper, Hon. W. H.</i>	<i>Ogden, Hon. C. R.</i>	<i>Williams.</i>
<i>Black,</i>	<i>Foster,</i>	<i>Parent,</i>	<i>Yule.—23</i>
<i>Boutillier,</i>	<i>Hamilton,</i>	<i>Robertson,</i>	

So it was carried in the affirmative, and
Resolved, accordingly.

Ordered—That the petition of the President, Directors and Company, of the Bank of *Upper Canada*, praying that the stock of said Bank be increased to £500,000, be referred to the said Committee.

Second Petition of President, Directors and Company of Bank of U. C., referred to same com.

Mr. *Holmes* moved, seconded by Mr. *Dunscomb* that the petition of the President and Directors, of the Bank of *Montreal*, be referred to the select Committee to which was referred the petition of the President Directors and Company, of the Bank of *Upper Canada*, praying that the section of the Act of Incorporation of said Bank, requiring its principal place of business to be at the Seat of Government may be repealed.

Petition of President and Directors of the Bank of Montreal, referred to same com.

The House divided on the motion, and the names being called for, they were taken down, as followeth :—

YEAS.

<i>Baldwin, Hon. R.</i>	<i>De Salaberry,</i>	<i>Johnston,</i>	<i>Raymond,</i>
<i>Berthelot,</i>	<i>Draper, Hon. W. H.</i>	<i>Killaly, Hon. H. H.</i>	<i>Robertson,</i>
<i>Boswell,</i>	<i>Dunn, Hon. J. H.</i>	<i>McNab, Sir A. N.</i>	<i>Roblin,</i>
<i>Buchanan,</i>	<i>Dunscomb,</i>	<i>McDonald, (Pres.)</i>	<i>Small,</i>
<i>Burnet,</i>	<i>Duggan,</i>	<i>McDonald, (Glen.)</i>	<i>Smith, (Fron.)</i>
<i>Cameron,</i>	<i>Durand,</i>	<i>McLean,</i>	<i>Smith, (Went.)</i>
<i>Cartwright,</i>	<i>Foster,</i>	<i>Merritt,</i>	<i>Sherwood,</i>
<i>Christie,</i>	<i>Gilchrist,</i>	<i>Moore,</i>	<i>Steel,</i>
<i>Crane,</i>	<i>Hale,</i>	<i>Morris,</i>	<i>Thorburn,</i>
<i>Daly, Hon. D.</i>	<i>Hincks,</i>	<i>Ogden, Hon. C. R.</i>	<i>Turcotte,</i>
<i>Day, Hon. C. D.</i>	<i>Holmes,</i>	<i>Powell,</i>	<i>Watts,</i>
<i>Derbshire,</i>	<i>Hopkins,</i>	<i>Quesnel,</i>	<i>Woods.—48</i>

NOES.

<i>Armstrong,</i>	<i>Child,</i>	<i>Parent,</i>	<i>Taschereau,</i>
<i>Aylwin,</i>	<i>Delisle,</i>	<i>Ruel,</i>	<i>Viger, Hon. D. B.</i>
<i>Barthe,</i>	<i>Hamilton,</i>	<i>Simpson,</i>	<i>Williams,</i>
<i>Black,</i>	<i>Neilson,</i>	<i>Taché,</i>	<i>Yule.—18</i>
<i>Boutillier,</i>	<i>Noel,</i>		

So it was carried in the affirmative, and
Ordered accordingly.

Ordered—That Mr. *Buchanan* be added to the select Committee, appointed to inquire and report to this House such measures as will most readily equalize the rates of exchange, and assimilate the currency throughout this Province.

Mr. Buchanan, added to committee on currency.

Mr. *Morris* moved, seconded by Mr. *Boswell*, that the petitions of the President, Directors and Stockholders, of the Commercial Bank of the *Midland District*, presented to the House on the *twenty-eighth* of *June* last,—and of the President, Directors and Stockholders, of the City Bank, of the City of *Montreal*, presented to the House on the *first* instant,—be referred to the select Committee to which was referred the petition of the President, Directors, and Company, of the Bank of *Upper Canada*, praying that the section of the Act of Incorporation of said Bank requiring its principal place of business to be at the Seat of Government may be repealed.

Petition of President and Directors of Commercial Bank and Petition of President, Directors and Stockholders of the City Bank of Montreal, referred to committee on Petition of U. C. Bank, &c.

The question having been put upon the said motion, a division ensued and it was carried in the affirmative and

Ordered accordingly.

House, on Tuesday next, to go into com. of whole, on Act for payment of claims.

On motion of Mr. *Prince*, seconded by Mr. *Thorburn*,
Resolved—That this House will, on *Tuesday* next, resolve itself into a Committee of the whole House to consider the expediency of amending the Act now in force in that part of this Province formerly called *Upper Canada*, entitled “*An Act to ascertain and provide for the payment of all just claims arising from the late Rebellion and invasion of this Province*” by enlarging the time for the sittings of the Commissioners to be appointed under and by virtue of that Act.

House to go into com. of whole, on Tuesday next, on Game Law.

On motion of Mr. *Prince*, seconded by Mr. *Henry Smith*,
Resolved—That this House will, on *Tuesday* next, resolve itself into a Committee of the whole House, to take into consideration the expediency of amending the Act now in force in that part of this Province formerly called *Upper Canada*, entitled “*An Act to amend an Act passed in the fourth year of the Reign of His Majesty King George the Fourth, entitled ‘An Act for the preservation of Deer within this Province,’ and to extend the provisions of the same, and to prohibit hunting and shooting on the Lord’s Day,*” by altering the time for the commencement of Woodcock shooting from the *first* day of *September* to the *fifteenth* day of *July*, in every year.

Order of day on Simcoe District loan revised

On motion of Captain *Steele*, seconded by Mr. *Merritt*,
Ordered—That the Order of the day for the House in Committee to consider the expediency of authorizing an additional loan to complete the Court House and Gaol of the District of *Simcoe*, lost by the adjournment of the House yesterday, be revived, and that this House will, on *Thursday* next, resolve itself into the said Committee.

House to go into com. of whole, on Ordinances relating to Board of Works, on Tuesday next.

On motion of Mr. Solicitor General *Daly*, seconded by the Honorable Mr. *Daly*,
Resolved—That this House will, on *Tuesday* next, resolve itself into a Committee of the whole House, to take into consideration the expediency of repealing an Ordinance of the Legislature of that part of this Province heretofore called *Lower Canada*, intituled “*An Ordinance to establish a Board of Works in this Province,*” and another Ordinance of the same Legislature, intituled “*An Ordinance to amend and render permanent the Ordinance establishing a Board of Works in this Province,*” and of making provision for the establishment of a Board of Works for the Province of *Canada*.

House, on Wednesday next, to go into committee of whole, on address to His Excellency, for revising statutes of Lower Canada.

On motion of Mr. Solicitor General *Daly*, seconded by Mr. *Black*,
Resolved—That this House will, on *Wednesday* next, resolve itself into a Committee of the whole House to take into consideration the expediency of presenting an humble Address to His Excellency, the Governor General, praying His Excellency to appoint a Commission for the purpose of revising the Statutes and Ordinances of that part of this Province formerly called *Lower Canada*.

Special committee on Clerk’s office to report from time to time.

On motion of Sir *Allan McNab*, seconded by Mr. *Black*,
Ordered—That the Special Committee appointed to inquire what assistance it will be necessary to afford to the Clerk, and what offices and departments it will be expedient to establish for the effective and orderly conduct of the business of this House, have power to report from time to time.

Report of Special committee on Clerk’s office.

Sir *Allan McNab*, from the Special Committee appointed to inquire what assistance it will be necessary to afford to the Clerk, and what offices and departments it will be expedient to establish for the effective and orderly conduct of the business of this House, presented to the House the

first Report of the said Committee, which was again read at the Clerk's Table, and is as followeth :—

The Committee called upon the Clerk of the House to furnish them with a statement of the officers and servants necessary for the business and convenience of the different departments. The Statement thus furnished is herewith appended; and your Committee, having carefully examined the same, and agreed thereto, respectfully submit it for the adoption of the House.

CLERK'S OFFICE,
LEGISLATIVE ASSEMBLY, 28TH JUNE 1841.

The Clerk respectfully submits to the Committee the following statement, shewing the officers and messengers which he will require in his establishment, to carry on the public business of the Assembly, during the sittings and recess of Parliament, with the salaries and allowances which he humbly thinks they will severally be entitled to. The Clerk, on referring to the Lists of the officers of the two Houses of Assembly, of the late Provinces of *Upper* and *Lower Canada*, perceives that some of them, from age and long services, have fair claim to pensions: he has, therefore, appended a scale which he submits to the Committee, should they feel disposed to recommend those persons to the favorable consideration of the House.

Clerk's statement.

PERMANENT OFFICERS.

<i>G. W. Wicksteed</i> , English Translator, and, in the event of no Law Clerk being appointed by the Executive, to perform the duties required by that officer, by the Rule adopted by this House.		
Per annum, currency.....	£350	0 0
<i>Henri Voyer</i> , French Translator.....	250	0 0
<i>Alexander Lemoine</i> , Asst. do., 20s. per diem during Session.....		
<i>William P. Patrick</i> , Chief Office Clerk.....	350	0 0
<i>William Ross</i> , Chief Clerk Committees.....	300	0 0
<i>Alfred Patrick</i> , Second do.....	225	0 0
<i>Thomas Vaux</i> , Second Office Clerk.....	225	0 0
<i>Pierre E. Gagnon</i> , Clerk of the French Journals....	225	0 0
<i>George M. Muir</i> , Clerk of English Journals.....	225	0 0
Librarian.....	200	0 0
Deputy Librarian.....	100	0 0

The above salaries to commence from the 14th *June*, ultimo.

It is to be understood that all the permanent officers of the House (including the Clerk and Clerk Assistant) are to complete and finish the whole work of the year.

EXTRA CLERKS AND WRITERS.

To be paid at the rate of *ten shillings* per diem of six hours, and in proportion for extra hours. They are also to attend committees, if necessary, and generally to perform any work required in the offices.

MESSENGERS AND DOORKEEPERS.

A. Leroux dit Cardinal, Chief Messenger, £100 0 0
with the allowance he had at *Quebec*. This person's services will be required all the year.

Other Messengers and Doorkeepers to be paid at the rate of seven shillings and sixpence per diem, during the Session. Services not required during Recess.

<i>King Barton</i> , House Page,—during the Session.....	40	0	0
<i>Hugh McClellan</i> , Door-keeper,—during the Session, in full	60	0	0

SCALE OF PENSIONS, OR RETIRING ALLOWANCES.

Louis B. Pinzuet, Clerk of Committees in *Lower Canada*; infirm, and a very old officer: received £100 per annum—Recommended for two thirds of his salary.

David Jardine, an old officer in *Upper Canada*—Recommended for two thirds of his salary.

William Coates, an old officer in *Upper Canada*—Recommended for two thirds of his salary.

Samuel Waller, Clerk of Committees, *Lower Canada*: Has received half pay of £200 since the suspension of the *Lower Canada* Constitution—Recommended for one half salary.

Jasper Brewer, Librarian, an old officer of *Lower Canada* Assembly, but desirous of retiring, being in a bad state of health: he received £200 per annum—Recommended for two thirds of his salary.

Aeneas Bell—This person has been left in charge of the Parliament House at Toronto—Recommended for £18 per annum.

F. Rodrigue and *Louis Gagné*, Door-keepers, have large families in *Quebec*, and unable to proceed to Kingston—Recommended for the half pay they now enjoy, say £18 each.

W. B. LINDSAY,
Clk. Assy.

Report referred to committee of whole

Ordered—That the said Report be referred to a Committee of the whole House on *Monday* next.

Special com on petition of J. A. Tailhades, report by bill.

Mr. *Parent*, from the Special Committee to which was referred the petition of *Jacques Alexandre Tailhades*, Gentleman, with power to report by Bill or otherwise, presented to the House a Bill to secure to and confer upon *Jacques Alexandre Tailhades*, an inhabitant of this Province, the civil and political rights of a natural born British subject, which was received and read for the first time.

Ordered—That the said Bill be read a second time on *Wednesday*, the *fourteenth* instant.

On motion of Mr. Simpson, seconded by Mr. *Neilson*.

Ordered—That when this House doth adjourn it will adjourn until *Monday* next.

Committee on Petition of Geo. Rykert, and others, report Niagara district Bank bill.

Mr. *Merritt*, from the Special Committee to which was referred the petition of *George Rykert*, and others, inhabitants of the District of *Niagara*, with power to report by Bill or otherwise, presented to the House a Bill to incorporate sundry persons under the style and title of the President, Directors and Company, of the Bank of the *Niagara* District; which was received and read for the first time.

Ordered—That the said Bill be read a second time on *Wednesday* next.

On motion of Mr. Attorney General *Draper*, seconded by Mr. Solicitor General *Day*,

Order of the day for the House in committee on Court of Requests Law of U. C. revived.

Ordered—That the order of the day, for the House in Committee, to take into consideration the state of the Law relating to the Courts of Requests, in that part of the Province formerly called *Upper Canada*, lost by the adjournment of the House yesterday, be revived; and that this House will, on *Tuesday* next, resolve itself into the said Committee, and that it be then the first order of the day.

On motion of Mr. *Prince*, seconded by Mr. *Boswell*,

Ordered—That *William Dunlop*, Esquire, the petitioner in the matter of the controverted election for the County of *Huron*, do before one o'clock in the afternoon of *Monday*, the *fifth* day of *July*, instant, deliver to *James McGill Strachan*, Esquire, the sitting member for the said County, or to his Agent, a List of the persons intended by the petitioner to be objected to, who voted for the sitting member at the said election, giving in the said List the several heads of objections, and distinguishing the same against the names of the voters excepted to; and that the said *James McGill Strachan*, or his Agent, do within the same time, deliver a like List on his part to the said Petitioner or his Agent.

Lists of objected votes to be furnished by the parties to the Huron contested election.

Ordered—That Mr. *Simpson* be added to the Select Committee appointed to inquire and report to this House such measures as will most readily equalize the rates of exchange, and assimilate the currency throughout this Province.

Mr. Simpson added to the committee on currency.

Ordered—That Mr. *Taché* and Mr. *Berthelot* be added to the Special Committee to which was referred the Bill to amend a certain Ordinance passed in the third year of Her Majesty's Reign, intituled "*An Ordinance to provide permanently for the want of Notaries in the Inferior District of Gaspé, and to remove doubts therein mentioned.*"

Mr. Taché and Mr. Berthelot, added to the com. on ordinance respecting notaries in Gaspé.

Resolved—That a committee of *five* members be appointed, to which the contingent accounts and expenses of this House during the present Session shall be referred, to report from time to time; with power to send for persons, papers, and records.

Committee on contingencies appointed.

Ordered—That Mr. *Thorburn*, Mr. *Neilson*, Mr. *Cartwright*, Mr. *Hale*, and Mr. *Parent*, do compose the said committee.

The Honourable Mr. *Killaly*, presented to the House the report of the Commissioners of the *Chambly Canal*.

Report of Commissioners of Chambly canal presented.

For the said Report see Appendix (D.)

Resolved—That a committee of *seven* members be appointed to examine into the prices paid, and the methods adopted, for the transit of products, on the different communications, within this Province, to report thereon with all convenient speed; with power to send for persons, papers, and records.

Committee appointed on transit of products.

Ordered—That Mr. *Merritt*, Mr. *Burnet*, the Honourable Mr. *Killaly*, Mr. *Buchanan*, Mr. *Dunscob*, Mr. *Neilson*, and Mr. *Crane*, do compose the said committee.

The order of the day for the second reading of the Bill to establish a Company by the name of the "*Sydenham Mountain Road Company*," being read,

Order of day, second reading Sydenham Mountain Road bill, postponed.

Ordered—That the said order of the day be postponed until *Tuesday* next.

The order of the day for the second reading of the Bill to enable members of the Legislative Assembly, for places within that part of the Province formerly constituting the Province of *Upper Canada*, to vacate their seats, in certain cases, and for other purposes, being read,

Also second reading Bill to enable members to vacate their seats.

Ordered—That the said order of the day be postponed until *Tuesday* next.

A Bill to permit *Robert John Turner* to practice as Solicitor in the Court of Chancery was, according to order, read a second time.

Mr. *Baldwin* moved, seconded by Mr. *Hincks*, that the following amendment be made to the said Bill:—

Amendment to bill for relief of R. J. Turner.

Preamble—

Amendment to bill for relief of H. J. Turner.

Line II.—After “Draftsman in this Province” insert “and was of essential service from his acquaintance with the practice and proceedings of the High Court of Chancery in *England*, in facilitating the business of the Court of Chancery in this Province on its first establishment.”

Mr. *Roblin* moved, seconded by Mr. *Black*, that the said Bill and amendment be referred to a committee of the whole House on *Wednesday* next.

The question having been put upon the said motion, a division ensued, and it passed in the negative.

The question being then put upon the main motion, the House divided thereon, and the names being called for, they were taken down as followeth:—

YEAS.

<i>Armstrong,</i>	<i>De Salaberry,</i>	<i>Moore,</i>	<i>Ruel,</i>
<i>Berthelot,</i>	<i>Dunn, Hon. J. H.</i>	<i>Morris,</i>	<i>Simpson,</i>
<i>Boswell,</i>	<i>Dunscomb,</i>	<i>Neilson,</i>	<i>Steele,</i>
<i>Boutillier,</i>	<i>Durand,</i>	<i>Noel,</i>	<i>Taché,</i>
<i>Buchanan,</i>	<i>Foster,</i>	<i>Parent,</i>	<i>Taschereau,</i>
<i>Christie,</i>	<i>Hamilton,</i>	<i>Powell,</i>	<i>Turcotte,</i>
<i>Daly, Hon. D.</i>	<i>Holmes,</i>	<i>Prince,</i>	<i>Viger, Hon. D. B.</i>
<i>Delisle,</i>	<i>Johnston,</i>	<i>Quesnel,</i>	<i>Yule.—35</i>
<i>Derbshire,</i>	<i>Killaly, Hon. H. H.</i>	<i>Raymond,</i>	

NOES.

<i>Aylwin,</i>	<i>Crane,</i>	<i>MacNab, Sir A. N.</i>	<i>Smith, (Fron.)</i>
<i>Black,</i>	<i>Day, Hon. C. D.</i>	<i>McLean,</i>	<i>Sherwood,</i>
<i>Burnet,</i>	<i>Duggan,</i>	<i>Ogden, Hon. C. R.</i>	<i>Strachan.—15</i>
<i>Child,</i>	<i>Hale,</i>	<i>Roblin,</i>	

So it was carried in the affirmative, and
Ordered accordingly.

Mr. *Prince* moved, seconded by Mr. *Boswell*, that the said Bill, as amended be engrossed.

The question having been put upon the said motion, the House divided thereon, and the names being called for, they were taken down as followeth:—

YEAS.

<i>Armstrong,</i>	<i>Derbshire,</i>	<i>Killaly, Hon. H. H.</i>	<i>Ruel,</i>
<i>Barthe,</i>	<i>De Salaberry,</i>	<i>Moore,</i>	<i>Simpson,</i>
<i>Berthelot,</i>	<i>Dunn, Hon. J. H.</i>	<i>Neilson,</i>	<i>Smith, (Fron.)</i>
<i>Boswell,</i>	<i>Dunscomb,</i>	<i>Noel,</i>	<i>Steele,</i>
<i>Boutillier,</i>	<i>Durand,</i>	<i>Parent,</i>	<i>Taché,</i>
<i>Buchanan,</i>	<i>Foster,</i>	<i>Powell,</i>	<i>Taschereau,</i>
<i>Christie,</i>	<i>Hale,</i>	<i>Prince,</i>	<i>Turcotte,</i>
<i>Daly, Hon. D.</i>	<i>Hamilton,</i>	<i>Quesnel,</i>	<i>Viger, Hon. D. B.</i>
<i>Day, Hon. C. D.</i>	<i>Holmes,</i>	<i>Raymond,</i>	<i>Yule.—38.</i>
<i>Delisle,</i>	<i>Johnston,</i>		

NOES.

<i>Aylwin,</i>	<i>Duggan,</i>	<i>McLean,</i>	<i>Smith, (Went.)</i>
<i>Black,</i>	<i>Crane,</i>	<i>Ogden, Hon. C. R.</i>	<i>Sherwood,</i>
<i>Burnet,</i>	<i>MacNab, Sir A. N.</i>	<i>Roblin,</i>	<i>Strachan.—13.</i>
<i>Child,</i>			

So it was carried in the affirmative, and
Ordered accordingly.

Then, on motion of Mr. *Hamilton*, seconded by Mr. *Henry Smith*,
The House adjourned.

Lunæ 5^o die Julii ;

Anno 5^o *Victoriae Reginae*, 1841.

The hour appointed for taking into consideration the petition of *William Dunlop*, of *Gairbraid*, in the county of *Huron*, Esquire, complaining of the undue Election and Return of *James McGill Strachan*, Esquire, as a Member to represent the County of *Huron*, in this present Parliament, being come,

Proceedings on Huron County Election trial.

The House proceed to the appointment of a select committee to try and determine the merits of said petition.

The Sergeant-at-Arms was directed by Mr. Speaker to go with the Mace to the places adjacent and require the attendance of the Members on the business of the House,

And he went accordingly.

And being returned, the House was called, and more than thirty members being present,

Mr. Speaker called upon the Petitioner, his Counsel, or Agent, to appear at the Bar.

Luke Brough, Esquire, appeared at the Bar, as Counsel for the petitioner.

Mr. Speaker called upon the sitting Member, his Counsel or Agent, to appear at the Bar.

Mr. *Strachan*, sitting Member for the said County of *Huron*, appeared at the Bar in his own behalf.

Mr. *Luke Brough*, Counsel for the petitioner, presented a List of Witnesses in the case of *William Dunlop*, which was read by the Clerk, as follows :—

NAMES.	RESIDENCE.	PAPERS & RECORDS.		
<i>Thomas Mercer Jones, Esq.</i>	Commissioners of the Canada Compy. } Goderich.	With the following Papers & Records: 1st. Rough Cash Book, 2nd. Deed Books kept at Toronto & Goderich, since 1st Jan. 1840. 3rd. Lot account Books in which the different payments, when received, are posted, since the first settlement of the Huron Tract, together with all memoranda and acknowledgments of receipt of Deeds by parties from the Canada Co., whether the same be entered in the Books or otherwise.	List of Witnesses on behalf of Petitioner.	
<i>Frederick Widder, Esq.</i>				Toronto.
<i>Donald McDonald, Genl.</i>	Officers and Clks. of the Canada Compy. } Toronto.			
<i>Thomas Collier, "</i>				
<i>William Robertson, Esq.</i>		Goderich.		
<i>W. Bennett Rich, "</i>				
<i>Charles Widder, Gentleman</i>		Toronto.		
<i>Edward Lefroy Cull, "</i>				
<i>J. McAlpine Cameron, "</i>				
<i>Alexander McDonald, "</i>	Stratford, County of Huron.			
<i>Henry Hyndman, Esq.,</i>	Returning officer at the late election, Godrich.			
<i>T. Douglas Harrington, Es.</i>	Kingston.			
<i>Thomas Amiot, Esquire,</i>	Clerk of the Crown in Chancery, Kingston.	With the Poll Book kept at the last election of the County of Huron.		

	NAMES.	RESIDENCE.	PAPERS & RECORDS.
List of Witnesses on Behalf of Petitioner	<i>Thomas Galt, Gentleman,</i>	Toronto.	
	<i>Matthew Black, Yeoman,</i>	Goderich.	
	<i>Elias Lomas,</i>	" "	
	<i>Thomas Harris,</i>	" "	
	<i>Patrick Gallagher,</i>	" "	
	<i>James Woodley,</i>	" "	
	<i>Edward Griffin, Gen.,</i>	Agent of the Baron De Tuyll, Goderich.	With all Books, Papers, & Receipts, relative to the sales of Town Lots in Bayfield village.
	<i>William Shaw, Laborer,</i>	Goderich.	
	<i>R. Beacom, Sr. Carpenter,</i>	" "	
	<i>Mrs. Catherine Papst,</i>	} Goderich.	With Title Deeds to part of Lot 213, Town of Goderich.
<i>wife of Richard Papst,</i>			
<i>Inn-keeper,</i>		With the Family Bible of Valentine Fisher, her father.	
<i>William Hicks, Inn-keeper,</i>	Goderich.		
<i>Mary Hicks, his wife,</i>	" "		
<i>Thomas Michael, Laborer,</i>	Colborne.		
<i>Hugh Grice,</i>	Goderich.		
<i>J. Murray, Senr. Yeoman,</i>	Hay.		
<i>John Clark,</i>	" Lake shore, Goderich.		
<i>William Cline,</i>	" South Easthope.		
<i>J. C. W. Daly, Esq.</i>	Stratford, Co. of Huron,	With Title Deeds to Lot 13 in 10th Con., Goderich.	
<i>Joseph Young, Yeoman,</i>	Goderich.		
<i>James Young,</i>	" Colborne.		
<i>D. Smith, " Dep. Surveyor,</i>	Goderich.		
<i>B. Pearsons, Jr., Merchant,</i>	" "		
<i>John Daly, Yeoman,</i>	" "		
<i>John McKenzie, Shoemaker,</i>	" "		
<i>Seneca Ketchum, Gent. Mono.</i>	" "		
<i>William Steward,</i>	Goderich,	With Deed of Assignment by Morgan Hamilton to Trustees for his creditors.	
<i>Robert Miller, Yeoman,</i>	" "		
<i>Michael Duggan, Senr.</i>	" "		
<i>James Hodgins, 1st.,</i>	" Biddulph.		
<i>Elias Disney,</i>	" Goderich.		
<i>James McMahon,</i>	" "		
<i>Boyer Paul,</i>	" Biddulph.		
<i>J. Galt, Esq. Register of</i>	} Goderich.		
<i>the County of Huron,</i>			
<i>Isaac Lewis, Yeoman,</i>	Biddulph.		
<i>George Carter, " Town Ck.</i>	" "		
<i>W. Adamson, "</i>	McGillivray.		
<i>Charles Stuck, Labourer,</i>	} Goderich.		
<i>Poll Clerk,</i>			
<i>William Sweet,</i>	Stephen,	With Title Deeds to lot 19 in 1st Con. of Stephen.	
<i>Edward Tegart,</i>	" "	" " to lot 22 " "	
<i>James Clegg,</i>	Town of Goderich,	" " 167 in town of Goderich.	
<i>Patrick Glavin,</i>	Biddulph,	" " 9 in 1st c. of Biddulph.	
<i>William Alingham,</i>	Goderich,	" " 10 in 3rd c. Goderich.	
<i>John Cook,</i>	" "	" " 30 in 9th " "	
<i>William Hicks, Jun.,</i>	" "	" " 84 in Huron Road c. "	
<i>Morgan J. Hamilton,</i>	" "	" " 11 in town of Goderich.	
<i>Joseph Walliamson,</i>	South Easthope,	" " 6 in 1st. con. South Easthope.	
<i>James Whiteford,</i>	Stanley,	" " 6 in 1st con. Stanley.	
<i>John Cronyn,</i>	" "	" " Lot in Main St. in Bayfield.	
<i>William Lewis,</i>	McGillivray,	" " Lot 15 in 1st c. McGillivray.	
<i>Patrick Cowley,</i>	Biddulph,	" " 10 in 1st. c. Biddulph.	
<i>John Phelan, Junior,</i>	North Easthope,	" " 45 in 2nd con. North Easthope.	
<i>Joseph Quick,</i>	Usborne,	" " 6 in 1st con. Usborne.	
<i>William Cantelon,</i>	Goderich,	" " 27 in 10th " Goderich.	
<i>James Scallion,</i>	" "	" " 2 in 13 " "	
<i>William Elliott,</i>	" "	" " 15 in 4 " "	

NAMES.	RESIDENCE.	PAPERS & RECORDS.			List of Witnesses on behalf of Petitioner.
		Lot.	No.	5 in 2 Con. South	
James Cline,	South Easthope,	Lot.	No.	5 in 2 Con. South Easthope.	
Peter Cantelon,	Goderich,	"	"	26 in 11 " Goderich.	
John Finlay,	"	"	"	13 in 5 " "	
Robert Elliott,	"	"	"	32 in 8 " "	
John Dennis,	"	"	"	21 in 7 " "	
David Cantelon,	"	"	"	32 in 10 " "	
William Holmes,	"	"	"	23 in 9 " "	
James Ailkin,	Biddulph,	"	"	14 in 1 " Biddulph.	
Christopher Lindsay,	Goderich,	"	"	24 in 3 " Goderich.	
John Hillock,	"	"	"	19 in 5 " "	
Joseph Sparling,	"	"	"	26 in 10 " "	
Andrew Rutledge,	"	"	"	30 in 8 " "	
Barnard Darwin,	"	"	"	9 in 5 " "	
Andrew McConnell,	Usborne.	"	"	20 in 1 " Usborne.	
George McConnell,	Goderich,	"	"	23 in 1 " Stephen.	
Adam Hodgins,	Biddulph,	"	"	33 in 2 " Biddulph.	
Thomas Whitley,	Goderich,	"	"	16 in 6 " Goderich.	
William Mc.Nahon,	London,	"	"	97 in Maitland Road " "	
Thomas Atkinson.	Biddulph,	"	"	30 in 3 con. Biddulph.	
Alexander McCall,	"	"	"	2 in 2 " "	
John Hodgins,	M-Gillivray,	"	"	15 in 1 " McGillivray	
Joseph Dobson,	Biddulph,	"	"	12 in 5 " Biddulph.	
Thomas Abbott,	"	"	"	20 in 4 " "	
Francis Alexander,	"	"	"	11 in 5 " "	
James Spratt,	Goderich,	"	"	220 in village of Bayfield.	
Thomas Simpson,	M-Gillivray,	"	"	12 in 2nd c. McGillivray	
James O'Neil,	"	"	"	15 in 2 " "	
James Glennie,	Stanley,	"	"	133 in village of Bayfield.	
Joseph Holmes,	Goderich,	"	"	22 in 9 con. Goderich.	
Richard Darlington,	Colborne,	"	"	3 in 7 " Colborne.	
Thomas Elliott, Jr.,	Goderich,	"	"	22 in 3 " Goderich.	
George Elliott, Jr.,	"	"	"	21 in 4 " "	
Michael Duggan, Jr.	"	"	"	part of Lot 9 in Maitland, con. do.	
Edward Duggan,	"	"	"	" " " " "	
Adam Hodgins, Jr.	Biddulph,	"	"	Lot 36 in 2nd c. Biddulph.	
John Hodgins,	"	"	"	34 in " "	
William Atkinson,	"	"	"	14 in " "	
James Whiteford,	Tucker Smith Lr. Road,	"	"	21 in 1st con. Tucker-smith, L. R.	
The Hon. Samuel B. Harrison,	Provincial Secretary.	With duplicate Register of Oaths of Allegiance taken under 9th Geo. 4th. chap. 21, and subsequent Acts containing the same.			

Mr. Strachan handed in a List of the Witnesses required in behalf of himself as the sitting Member for the County of *Huron*, which was also read by the Clerk, as follows:—

NAMES.	RESIDENCE.	NAMES.	RESIDENCE.	List of Witnesses on behalf of sitting member.
Dun. M-Gregor Lambert.	Goderich,	Thomas Walker,	Hullett.	
Andrew Seback,	Ellis,	Hugh M ^c Collum,	Williams.	
Alexander M ^c Kenzie,	Tucker Smith,	Hugh Frazer,	do.	
Daniel Allan,	North Easthope,	Alexander Anderson,	do.	
John Sherman,	Strafford,	Alexander Campbell,	do.	
Robert Lesslie,	Williams,	Duncan M ^c Farlane,	do.	
Andrew Frazer,	Downie,	Neil Ross,	Tucker Smith.	
Samuel Fisher,	Colborne.	John M ^c Intyre,	Williams.	
Edward M ^c Donald,	Stanley.	James M ^c Pherson,	do.	
Daniel Hood Ritchie,	do.	Duncan M ^c Farlane,	do.	
William M ^c Intosh,	Williams.	Peter Currie,	do.	
David Cluniss,	do.	Edward J. Ledyard,	Tucker Smith.	
Donald Campbell,	do.	Robert Patterson,	Hay.	
Duncan Campbell,	do.	James Murray, Senior,	do.	
Alexander Young, Jun.,	Colborne.	John M ^c Intosh,	Williams.	
William Mure,	Williams,	Alexander M ^c Donald,	do.	

Last of Witnesses on behalf of sitting member.

NAMES.	RESIDENCE.	NAMES.	RESIDENCE.
<i>Alexander Frazer,</i>	Williams.	<i>James Stonchouse,</i>	Colborne.
<i>Donald Henderson,</i>	do.	<i>John Bannerman,</i>	do.
<i>Castor Willis,</i>	Hay.	<i>William Stafford,</i>	Hullet.
<i>John M-Intosh,</i>	North Easthope.	<i>Robert Leiper,</i>	do.
<i>James Ross,</i>	Williams.	<i>James N. Edwards,</i>	Goderich.
<i>John Henderson,</i>	do.	<i>Edward Van Egmond,</i>	M-Killop.
<i>Richard Papst,</i>	Goderich.	<i>John Wilson,</i>	Goderich.
<i>Joseph Fisher,</i>	Colborne.	<i>William Gording,</i>	do.
<i>William M-Naughton,</i>	Stanley.	<i>George Lathwaile,</i>	do.
<i>George Dober,</i>	Goderich.	<i>John Gall,</i>	do.
<i>George Mathieson,</i>	Bayfield.	<i>Edward Gording,</i>	do.
<i>Peter Melville,</i>	Williams.	<i>Juspor R. Gording,</i>	do.
<i>Donald Frazer,</i>	do.	<i>George Gording,</i>	do.
<i>Michael Fisher,</i>	Colborne.	<i>Joseph Rattenburgh,</i>	do.
<i>Peter M-Dougall,</i>	Goderich.	<i>David Hay,</i>	do.
<i>Henry Rancford,</i>	do.	<i>Henry Horton,</i>	do.
<i>William Calk,</i>	M-Killopp.	<i>Thomas Frazer,</i>	Williams.
<i>William Wallace,</i>	Goderich.	<i>Valentine Fisher,</i>	Goderich.
<i>Adolphus J. Morgan,</i>	do.	<i>John M-Phee,</i>	Colborne.
<i>Angus M-Kay,</i>	do.	<i>Thomas Kydd,</i>	Goderich.
<i>Robert Park,</i>	do.	<i>William J. Gording,</i>	do.
<i>Charles E. Mallar,</i>	do.	<i>France Demara,</i>	do.
<i>Dugald Mure,</i>	Williams.	<i>John Wilson, 3rd,</i>	do.
<i>Hugh Rose,</i>	do.	<i>Theodore Reed,</i>	do.
<i>Archibald Dickson,</i>	M-Killop.	<i>Benjamin Parsons,</i>	do.
<i>Jonathan Carter,</i>	Tucker Smith.	<i>John M-Lean,</i>	Tucker Smith.
<i>Thomas Carter,</i>	do.	<i>John M-Lachlanc,</i>	Williams.
<i>William Elder, Jun.,</i>	Usborne.	<i>Alexander Crerar,</i>	N. Easthope.
<i>Joseph Rye, Jun.,</i>	Goderich.	<i>Thomas B. Woodruff,</i>	Goderich.
<i>Abraham D. Naftel,</i>	do.	<i>Robert Gibbons,</i>	do.
<i>John M-Intosh,</i>	Tucker Smith.	<i>Cyrus M-Millan,</i>	do.
<i>William Elder, Jun.,</i>	Hay.	<i>Nathaniel Laurison,</i>	do.
<i>John Robinson,</i>	Goderich.	<i>John Dausy,</i>	do.
<i>James Murray, Jun.,</i>	Tucker Smith.	<i>John Stewart, Senr.,</i>	N. Easthope.
<i>John Blaik,</i>	Goderich.	<i>George Sterling,</i>	Goderich and Bay- field.
<i>James Woodley,</i>	do.	<i>James Gentles,</i>	do.
<i>Martin M-Lellan,</i>	do.	<i>John Lebering,</i>	Ellis.
<i>James Lees,</i>	do.	<i>Joseph Wilson,</i>	Goderich.
<i>Joseph C. Reed,</i>	do.	<i>William Reid,</i>	do.
<i>John M-Intosh,</i>	do.	<i>Walter Sharpe,</i>	do.
<i>Andrew Helmer,</i>	N. Easthope.	<i>Donald Gillis,</i>	Williams.
<i>John Critch,</i>	Tucker Smith.	<i>Jonas W. Garrison,</i>	London.
<i>Thomas Lamb,</i>	Usborne.	<i>Dennis O'Brien,</i>	do.
<i>Robert Nelson,</i>	Goderich.	<i>William Edwards,</i>	Goderich.
<i>William Jeffrey,</i>	do.	<i>Isaac Rottenburg,</i>	do.
<i>James Clonting,</i>	Colborne and Bay- field.	<i>George Worsley,</i>	Tucker Smith.
<i>John Whitney,</i>	N. Easthope.	<i>Daniel Lizzars,</i>	Goderich.
<i>Menno Eby,</i>	Colborne.	<i>Richard Young, Senr.</i>	do.
<i>William Reanic,</i>	South Easthope.	<i>Henry Hyndman,</i>	do.
<i>William Piper,</i>	Goderich.	<i>Thos. M. Jones,</i>	do.
<i>Murdock Gordon,</i>	do.	<i>Thos. Galt,</i>	Toronto.
<i>Robert Young,</i>	Colborne.	<i>John Longworth,</i>	Goderich.
<i>Antoine Contant,</i>	Goderich.	<i>James Elliot,</i>	do.
<i>Harvey Brace,</i>	Colborne.	<i>Jn. Wilson, Esq. Barrister,</i>	London.
<i>Lewis Bellamore,</i>	Goderich.	<i>Thos. Loghlin,</i>	M-Gillivray.
<i>Henry Haacke,</i>	Bayfield.	<i>Alex. Taylor,</i>	Goderich.
<i>David Lawson,</i>	Colborne.	<i>Christopher Johnson,</i>	Stanley.
<i>George Wilson,</i>	Goderich.	<i>Wm. Douglass,</i>	Williams.
<i>William Young,</i>	do.	<i>Wm. Clyne,</i>	S. Easthope.
<i>Thomas Elliott,</i>	do.	<i>Rob't Rolls,</i>	Goderich.
<i>Joseph Lawrison,</i>	do.	<i>Andrew M'Ker,</i>	do.
<i>Joseph Rye, Jun.,</i>	do.	<i>John Clark,</i>	do.
<i>Edward Mulcator,</i>	do.	<i>Williams Rutlage,</i>	do.
<i>John M-Leod,</i>	do.	<i>John Clegge,</i>	do.
<i>William Bissil,</i>	Colborne.	<i>John Wallace,</i>	Hullet.
<i>Peter Fisher,</i>	do.	<i>Richd. Handfred,</i>	Stephen.
<i>Michael Fisher, Junr.</i>	do.	<i>Wm. Gleary,</i>	Goderich.
<i>Walter Lawson,</i>	do.	<i>Wm. W. Street,</i>	London.

NAMES.	RESIDENCE.	NAMES.	RESIDENCE.
<i>John Roughridge,</i>	Goderich.	<i>Frederick Widder, Esq.</i>	Toronto.
<i>Charles Widder,</i>	do.	<i>James Ritchie,</i>	Hamilton.
<i>Edward Griffin,</i>	do.	<i>George Boomer,</i>	Toronto,
<i>Lieut. Mein,</i>	1st. Royals, Eng-land.	<i>Morgan Hamilton,</i>	Goderich,
<i>Lieut. Marriott, R. A.</i>	London.	<i>William Bennet Rich,</i>	do.
<i>The Baron De Tuyl,</i>	Goderich,	<i>Colin Ross,</i>	do.
<i>Edward Lefroy Cull,</i>	Toronto.	<i>The Hon. W. H. Draper,</i>	Toronto.

Mr. Speaker then desired the Sergeant-at-Arms to lock the doors.

Doors locked.

And the doors being locked accordingly, and the order of the day for taking the said Petition into consideration being read, the attestation of the Speaker was taken from off the box, in which, agreeably to the Statute, the names of all the members of the House were sealed up, and the same was read by the Clerk, as follows :—

Order of day read.

“ I attest that this Box was, on the *third* day of *July*, 1841, made up in my presence, in the manner directed by an Act passed in the *fourth* year of the reign of His late Majesty King *George* the *Fourth*, entitled, “ *An Act to repeal an Act passed in the forty-fifth year of His late Majesty’s* “ *reign, entitled, ‘ An Act to regulate the trial of controverted Elections or* “ *Returns of Members to serve in the House of Assembly” and to make* “ *more effectual provision for such trials.*”

Speaker’s attestation.

AUSTIN CUVILLIER,

Speaker.

The box was then opened, and the attestation of the Clerk was taken out of the box and read by him, as follows :—

“ I attest that I did, on *Saturday*, the *third* day of *July*, 1841, in presence of the Speaker of this House, put into a box in which this attestation is found, the names of all the members composing the present Legislative Assembly, written upon slips of parchment, and rolled up, as directed by an Act passed in the *fourth* year of the Reign of His late Majesty, King *George* the *Fourth*, intituled “ *An Act to repeal an Act passed* “ *in the forty-fifth year of His late Majesty’s Reign, entitled, ‘ An Act to* “ *regulate the trial of Controverted Elections, or Returns of Members to* “ *serve in the House of Assembly,’ and to make more effectual provision for* “ *such trials.*”

Clerk’s attestation.

W. B. LINDSAY,

Clerk of Assembly.

The names of all the members were taken out of the box, and put into three other boxes.

The drawing of the names was then proceeded in, in the usual manner, and the following names were drawn, to which no objection was taken :—

Drawing of names proceeded in.

1 <i>Steele,</i>	9 <i>Thompson,</i>	17 <i>Williams,</i>
2 <i>Quesnel,</i>	10 <i>Holmes,</i>	18 <i>Morris,</i>
3 <i>Neilson,</i>	11 <i>Barthe,</i>	19 <i>Merritt,</i>
4 <i>Robertson,</i>	12 <i>Hale,</i>	20 <i>Thorburn,</i>
5 <i>Durand,</i>	13 <i>Powell,</i>	21 <i>Moore,</i>
6 <i>Christie,</i>	14 <i>Price,</i>	22 <i>Parent,</i>
7 <i>Burnet,</i>	15 <i>Raymond,</i>	23 <i>Chesley.</i>
8 <i>Johnston,</i>	16 <i>Ruel,</i>	

Names drawn from which to strike a select committee.

In the course of the drawing Mr. *Prince’s* name was taken out and set aside, being chosen nominee for the petitioner, and the name of Mr. *Sherwood* was likewise drawn and set aside, being chosen nominee for the sitting member.

State of the House on drawing the names.

Twenty seven other names were drawn and set aside or excused, as follows :—

Sixteen against whom Petitions were pending.

Ten serving on Election Committees.

One being upwards of sixty years of age.

Thirteen names were also drawn of members who were absent.

On motion of Mr. *Prince*, seconded by Mr. *Hamilton*.

Commission appointed.

Resolved—That this House do nominate and appoint, under the hand and seal of the Honorable the Speaker, three Commissioners, for the purpose of examining the witnesses of the parties in the matter of the controverted election for the County of *Huron*, and that *John H. Haggerty*, *Adam Johnston Ferguson*, and *George Boomer*, be such Commissioners,—who shall be authorized and empowered to hold their several sittings at *Goderich*, *Stratford*, *Balkwell's Tavern*, *Hodgin's Tavern*, all in the County of *Huron*, aforesaid,—and at the City of *Toronto*, and at the Town of *London*, or at any or either of those places, or at any other place or places, and at such time and times as they, the above named Commissioners, shall deem fit and proper.

Speaker to furnish parties with writs of summons

On motion of Mr. *Prince*, seconded by Mr. *Hamilton*,

Resolved—That the Speaker do furnish the parties concerned in the County of *Huron* controverted election, with Writs of Summons, under his hand and seal, for the parties, and also for the production of records, deeds, and papers, by such witnesses.

Parties retired

At fourteen minutes before *four* of the clock, P. M., the parties, with Mr. *Alfred Todd*, Clerk to the Select Committee, retired for the purpose of striking said Committee.

Speaker reports Bank returns

Mr. Speaker laid before the House a general statement of the affairs of the "City Bank" of *Montreal*.

Also, a statement of the affairs of the Bank of *British North America, Quebec*, received in conformity to an order of this House of the 25th of *June* last.

For the said Statements, see Appendix (C.)

Speaker lays before the House Statement of affairs of Champlain & St. Lawrence Rail Road.

The Speaker also laid before the House a Statement of the affairs of the "Champlain and St. Lawrence Rail Road," required by the 49 section of the Act 2d, WILLIAM IV., cap. 28, of the late Province of *Lower Canada*.

For the said Statement, see Appendix (E.)

At *four* o'clock, P. M., the Clerk to the Select Committee, delivered to the Clerk of the House, a List containing the names of the *nine* members, unstruck, comprising the Select Committee, which is as follows :—

Select committee to try the election for county of Huron.

The names of the members remaining in the List to try the merits of the Petition of *William Dunlop*, Esquire, complaining of the undue return of *James McGill Strachan*, Esquire, to serve as the representative for the County of *Huron*, in the present Parliament :

- | | |
|----------------------|--------------------|
| 1 <i>Steele</i> , | 6 <i>Holmes</i> , |
| 2 <i>Neilson</i> , | 7 <i>Raymond</i> , |
| 3 <i>Robertson</i> , | 8 <i>Morris</i> , |
| 4 <i>Christie</i> , | 9 <i>Moore</i> . |
| 5 <i>Burnet</i> , | |

Mr. *Prince*, nominee for Petitioner,

Mr. *Sherwood*, nominee for sitting member.

ALFRED TODD,

Clerk to Committee.

The said nine members, and the nominees, were then, severally, sworn at the Table, by the Clerk, in the usual manner. Committee sworn.

On motion of Mr. *Prince*, seconded by Mr. *Hamilton*,

Ordered—That the Committee appointed to try the Petition of *William Dunlop*, of *Gairbraid*, in the County of *Huron*, Esquire, complaining of the undue Election and Return of *James McGill Strachan*, Esquire, do meet in a Committee Room of this House on *to-morrow*, at *eleven o'clock*, A. M. Committee to meet at 11 o'clock A. M. to-morrow.

The following Petitions were severally brought up, and laid on the table : Petitions brought up

By Mr. *Robertson*, the Petition of *G. W. Blanchard*, and others, proprietors and inhabitants of the County of the *Lake of Two Mountains*—and the Petition of *R. McKenzie*, and others, proprietors and inhabitants of the County of *Terrebonne*, in the District of *Montreal*. Of *G. W. Blanchard* and others.
R. McKenzie and others.

By the Honourable Mr. *Viger*, the Petition of *Felix Lussier*, Esquire, and others, proprietors and inhabitants of the County of *Vercheres*. F. Lussier, & others.

By Mr. *Neilson*, the Petition of the Corporation of the City of *Quebec*. Corporation of Quebec.

By Mr. *Thorburn*, the Petition of *David Secord*, of *Saint Davids*, District of *Niagara*.—The Petition of *James Oswald*, of the Township of *Stamford*, County *Lincoln*.—The Petition of *Thomas Oswald*, of the Township of *Stamford*, County of *Lincoln*—and the Petition of *Wison Hainey*, of *Saint David's*, County of *Lincoln*. David Secord.
James Oswald.
Thomas Oswald
Wison Hainey.

By the Honourable Mr. *Viger*, the Petition of *J. E. Mignault*, and others, proprietors and inhabitants of the County of *Richelieu*. J. E. Mignault and others.

By Mr. *Armstrong*, the Petition of *Isidore S. Lafontaine*, and others, proprietors and inhabitants of the County of *Berthier*. J. S. Lafontaine and others.

By Mr. *De Salaberry*, the Petition of *Theophilie Lemay*, and others, proprietors and inhabitants of the County of *Rouville*. Theophilie Lemay and others.

By Mr. *Merritt*, the Petition of *Richard Collier*, of the *Niagara* District. Richard Collier.

By Mr. *De Lisle*, the Petition of *C. Wetherald*, and others, inhabitants of the County of *Huntingdon*. C. Wetherald and others.

By Mr. *Holmes*, the Petition of the Natural History Society of *Montreal*. Natural History Society of Montreal.

By Mr. *Cartwright*, the Petition of the Reverend *John Torrance*, and others, members of the Church of *England* of *Mascouche*, and other places. Rev. John Torrance & others.

By Mr. *Burnet*, the Petition of *Malcomb Fraser*, and others, protestant inhabitants of *River du Loup*, District of *Quebec*. Malcolm Fraser & others.

The Petition of the Reverend *William Brethour*, and others, members of the Church of *England*, of the County of *Beauharnois*, and the Petition of the Clergy and Members of the Church of *England*, in *Melbourne*, and other places. Rev. William Brethour and others.
Clergy &c. of Melbourne.

By Mr. *Morris*, the Petition of *John McDonald*, and others, inhabitants of the Townships of *Leeds* and *Lansdowne*. John McDonald and others.

By Mr. *Powell*, the Petition of *Samuel Garnsey*, and others, inhabitants of the Township of *Bayham*. S. Garnsey and others.

The Petition of *James Mersey*, and others, inhabitants of the Township of *Walpole*—and the Petition of *James Covernton*, and others, Magistrates and inhabitants of the District of *Talbot*. Jas. Mercer & others.
Jas. Covernton and others.

By Mr. *Duncombe*, the Petition of *Edward Ellice*, and others, inhabitants of *Beauharnois*, in the County of *Beauharnois*. Ed. Ellice and others.

By Mr. *Boutillier*, the Petition of *A. Archambault*, and others, proprietors and inhabitants of the County of *St. Hyacinthe*. A. Archambault and others.

By Mr. *Cartwright*, the Petition of *David Jones*, and others, Magistrates and freeholders of the *Eastern* and *Ottawa* Districts. David Jones & others.

A. Dingwall Fordyce
and others.

2nd do.

Alex Young and
others.

Turner's relief bill
read 3rd time.

Motion for amending
said Bill.

By Sir *Allan McNab*, the Petition of *A. Dingwall Fordyce*, and others, Magistrates and Freeholders in the District of *Wellington*.

By Mr. *Durand*, the Petition of *A. Dingwall Fordyce*, and others, Magistrates and Freeholders of the District of *Wellington*.

By Mr. *De Salaberry*, the Petition of *Alexander Young*, and others, censitaires of the Seigniores of *Noyan* and *Foucault*.

An engrossed Bill to permit *Robert John Turner* to Practice as Solicitor in the Court of Chancery, was read for the third time.

Mr. *Prince* moved, seconded by Mr. *Johnston*, that the Bill do pass, and that the title be "*An Act to permit Mr. Robert John Turner to practice as Solicitor in the Court of Chancery.*"

Sir *Allan McNab* moved in amendment, seconded by Mr. *Cartwright*, that the Bill do not now pass, but that it be amended by striking out the following words in the Preamble:—

"*And was of essential service, from his acquaintance with the practice and proceedings of the High Court of Chancery in England, in facilitating the business of the Court of Chancery in this Province, on its first establishment.*"

The question having been put upon the said motion of amendment, the House divided thereon, and the names being called for, they were taken down as followeth:—

YEAS.

<i>Burnet,</i>	<i>Day, Hon. C. D.</i>	<i>Ogden, Hon. C. R.</i>	<i>Strachan,</i>
<i>Cartwright,</i>	<i>Hale,</i>	<i>Smith, (Fron.)</i>	<i>Thompson,</i>
<i>Chesley,</i>	<i>Hamilton,</i>	<i>Smith, (Went.)</i>	<i>Viger, Hon. D. B.</i>
<i>Child,</i>	<i>McNab, Sir A. N.</i>	<i>Sherwood,</i>	<i>Williams.—17.</i>
<i>Crane,</i>			

NOES.

<i>Armstrong,</i>	<i>Dunscomb,</i>	<i>Morris,</i>	<i>Robertson,</i>
<i>Berthelot,</i>	<i>Durand,</i>	<i>Neilson,</i>	<i>Ruel,</i>
<i>Boutillier,</i>	<i>Foster,</i>	<i>Noel,</i>	<i>Simpson,</i>
<i>Buchanan,</i>	<i>Harrison, Hon. B.</i>	<i>Parent,</i>	<i>Steele,</i>
<i>Christie,</i>	<i>Holmes,</i>	<i>Powell,</i>	<i>Taché,</i>
<i>Daly, Hon. D.</i>	<i>Johnston,</i>	<i>Price,</i>	<i>Taschereau,</i>
<i>Delisle,</i>	<i>Killaly, Hon. H.H.</i>	<i>Prince,</i>	<i>Thorburn,</i>
<i>Derbshire,</i>	<i>McDonald, (Pres.)</i>	<i>Quesnel,</i>	<i>Turcotte,</i>
<i>De Salaberry,</i>	<i>Moore,</i>	<i>Raymond,</i>	<i>Yule.—37.</i>
<i>Dunn, Hon. J.H.</i>			

So it passed in the negative.

Mr. *Cartwright* then moved, in amendment to the main motion, seconded by Mr. *Strachan*, that the Bill do not now pass, but that it pass this day six months.

The question having been put upon the said motion, a discussion ensued, and it passed in the negative.

Turner's relief Bill
passed.

The question being then put on the main motion, it was agreed to unanimously, and

Resolved, accordingly.

Bill sent to Legislative
Council.

Ordered—That Mr. *Prince* do carry the said Bill to the Legislative Council, and desire their concurrence.

Petitions read.

Of Loop Odell.

Pursuant to the order of the day, the following Petitions were read:—
Of *Loop Odell*, and others, of the County of *Acadie*, praying for an indemnity for losses sustained during the late Rebellion.

- Of *Jean Louis Caron*, of *Chateauguay*, praying for an indemnity for losses sustained during the late Rebellion. J. L. Caron.
- Of *A. M. Farewell*, *Abram Butterfield*, and others, of the Townships of *Whitby* and *Darlington*, praying to be incorporated under the name of "Hall's East Whitby Marsh Harbour Company." A. M. Farewell & others.
- Of *Julia Bell*, wife of *Aeneas Bell*, praying for a remuneration for services as Housekeeper to the late House of Assembly of *Upper Canada*. Julia Bell.
- Of *William Clarke*, and others, of the Township of *Markham*, praying for aid to open a road between the 6 and 7 ranges of said Townships. William Clarke and others.
- Of *David Elder*, of *Toronto*, praying to be remunerated for the loss of a horse while employed in Her Majesty's Service. David Elder.
- Of the Trustees of the Academy of *Sherbrooke*, in the District of *St. Francis*, praying for a grant of money to enable them to maintain their Academy, and to obtain a set of Philosophical Apparatus, and a Library for the use of the pupils. Trustees of Sherbrooke Academy.
- Of the President, Directors and Stockholders of the City Bank, of the City of *Montreal*, praying for an extension of capital, and a renewal of Charter. President & Directors and Stockholders of City Bank, Montreal.
- Of *William Henry Kilborn*, of the Town of *Kingston*, and others, praying for a Loan to protect them in their duty, as land Surveyors, and for other purposes. W. H. Kilborn and others.
- Of *Richard M. Boyle*, and others, praying for a remuneration for expenses incurred by them, as contractors on the *Queenston* and *Grimiby* macadamized road. R. M. Boyle & others.
- Of *Rebecca McIntee*, widow of *Barnabas McIntee*, formerly of the first Regiment of Lincoln Militia, praying for a pension. Rebecca McIntee, (widow).
- Of *H. Troup*, and others, of the Townships of *Asphodel* and *Dummer*, praying for an aid to open a road from the Township of *Dummer* to the River *Trent*. H. Troup & others.
- Of *Moses Hart*, and others, of the town of *Three Rivers*, praying for an Act of incorporation for a Bank in the said town. Moses Hart & others.
- Of the Trustees of the College of *L'Assomption* praying for an aid to complete the said college, and for an act of incorporation of the same. Trustees of College of L'Assomption.
- Of *Jacob Glen*, and others, Proprietors of Land and Building Lots, on the Basin of *Chambly*, complaining of the decision of the Trustees, appointed under the ordinance regulating the communication between *Montreal* and *Chambly*, respecting the road between the little river of *Montreal*, and the residence of *Reni Boileau*, Esq., and praying that the said decision be reversed. Jacob Glen & others.
- Of *Jean Baptiste René Hertel De Rouville*, Seigneur of *Rouville*, in the District of *Montreal*, praying for a remuneration for expenses and losses by him incurred during the late Rebellion. J. B. R. H. De Rouville.
- Of *Samuel Andres*, and *Stephen R. Andres* of *Chambly*, praying for a remuneration for losses sustained during the late Rebellion. Samuel Andres and Stephen R. Andres.
- Of the Rev. *William Bell*, of *Perth*, praying for an amendment to the *Tay* Navigation Act, in order to maintain his claim for damage against the *Tay* Navigation Company. Rev. Wm. Bell.
- Of *John William Woolsey*, and others, of the City of *Quebec*, complaining of the disfranchisement of the largest portion of the Electors of the said City of *Quebec*, and praying relief. J. W. Woolsey and others.
- Of *Edward G. O'Brien*, and others, Justices of the Peace for the county of *Simcoe*, praying to be authorized to raise a further sum of £2000, to complete the Gaol and Court House, in that county. Edward G. O'Brien and others.
- Of *Alexander Reid*, and others, forming the temporary committee for making a Rail Road from *Sherbrooke* to the *Richlieu*, praying for an aid to cause the necessary surveys and estimates of the routes and expenses of the proposed Rail Road to be made, and also for a repeal of so much of the Ordi-

nance as makes it binding on the Stockholders to begin the work at *Sherbrooke* and continue it uninterruptedly towards the River *Richelieu*.

Petition of Jacob Glen and others, referred to select committee

Resolved—That the Petition of *Jacob Glen*, and others, proprietors of lands and building lots, on the Basin of *Chambly*, be referred to a committee of *three* members to examine the contents thereof, and to report thereon with all convenient speed, by bill or otherwise; with power to send for persons, papers and records.

Ordered—That the Honourable Mr. *Viger*, the Honourable Mr. *Killaly* and Mr. *De Salaberry*, do compose the said committee.

Petition of Simon McKenzie, Thomas Chapman & others, referred to select committee.

Resolved—That the Petition of *Simon McKenzie*, *Thomas Chapman*, and others, of the district of *Gore*, presented to the House on the 22nd day of *June* last, be referred to a committee of three members to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

Ordered—That Mr. *Durand*, Mr. *Daly*, and Mr. *Johnston*, do compose the said committee.

Petition from Board of Trade of Montreal referred to committee on currency.

Ordered—That the Petition of the Board of Trade of *Montreal*, respecting the currency, be referred to the committee appointed to enquire and report to this House such measures as will most readily equalize the rates of exchange and assimilate the currency throughout this Province.

Ordered—That the said committee have power to report, from time to time.

Petition of Natural History Society of Montreal referred to select committee.

Resolved—That the Petition of the Natural History Society, of *Montreal*, be referred to a committee of *five* members to examine the contents thereof, and to report thereon, with all convenient speed, by bill, or otherwise; with power to send for persons, papers, and records.

Ordered—That Mr. *Holmes*, Mr. *Neilson*, Mr. *Quesnel*, Mr. *Merritt*, and the Honourable Mr. *Killaly*, do compose the said committee.

Part of Petition from divers Inhabitants of Saguenay, referred to a select committee.

Resolved—That part of the petition of divers Inhabitants of the county of *Saguenay*, relating to winter vehicles, be referred to a Committee of *five* members, to examine the contents thereof, and to report thereon, with all convenient speed, by Bill or otherwise; with power to send for persons, papers, and records.

Ordered—That Mr. *Parent*, Mr. *Taché*, Mr. *Watts*, Mr. *Taschereau*, and Mr. *Noel*, do compose the said Committee.

Petition of John W. Woolsey and others, referred to select committee

Resolved—That the petition of *John William Woolsey*, and others, of the City of *Quebec*, presented to the House on the 2nd instant, be referred to a Committee of *five* members, to examine the contents thereof, and to report thereon, with all convenient speed; with power to send for persons, papers, and records.

Ordered—That Mr. *Burnett*, Mr. *Neilson*, Mr. Attorney General *Ogden*, Mr. *Black* and Mr. *Aylwin*, do compose the said Committee.

Petition of John Atkinson, referred to a select committee.

Resolved—That the petition of *John Atkinson*, of the Township of *Hemmingford*, presented to the House on the 28th day of *June*, last, be referred to a Committee of *three* members, to examine the contents thereof, and to report thereon, with all convenient speed; with power to send for persons, papers and records.

That Mr. *Dunscob*, Mr. *Chesley*, and Mr. *Moore*, do compose the said Committee.

Petition from Port Neuf, referred to select committee.

Resolved—That the petition of divers Inhabitants of the county of *Portneuf*, presented to the House on the 22nd day of *June* last, be referred to a Committee of *five* members, to examine the contents thereof, and to

report thereon, with all convenient speed ; with power to send for persons, papers, and records.

Ordered—That Mr. *Aylwin*, Mr. *Neilson*, Mr. *Parent*, Mr. *Cartwright* and the Honourable Mr. *Viger*, do compose the said Committee.

Ordered—That the petition of divers Inhabitants of the late Province of *Lower Canada*, presented to the House on the 25th day of June, last, be referred to the said Committee.

Petition of Inhabitants of Lower Canada, referred to same committee.

Sir *Allan McNab*, moved seconded by Mr. *Aylwin*, that a call of the House be made on *Wednesday* next at two o'clock, P. M.

Motion for call of House.

Mr. *Hamilton*, then moved, seconded by Mr. *Dunscob*, that the Orders of the day be now called.

Amendment proposed.

The question having been put on the said motion, a division ensued, and it passed in the negative.

Amendment lost.

The question being then put upon the main motion the House divided thereon, and the names being called for, they were taken down as followeth :—

Main Question put.

YEAS.

<i>Armstrong,</i>	<i>Durand,</i>	<i>Prince,</i>	<i>Thompson,</i>
<i>Aylwin,</i>	<i>Hale,</i>	<i>Roblin,</i>	<i>Thorburn,</i>
<i>Burnet,</i>	<i>Holmes,</i>	<i>Smith, (Fron.)</i>	<i>Turcotte,</i>
<i>Cameron,</i>	<i>MacNab, Sir A.N.</i>	<i>Smith, (Went.)</i>	<i>Woods,</i>
<i>Delisle,</i>	<i>Morris,</i>	<i>Sherwood,</i>	<i>Yule.—23.</i>
<i>Derbishire,</i>	<i>Powell,</i>	<i>Steele,</i>	

NOES.

<i>Black,</i>	<i>Day, Hon. C. D.</i>	<i>Johnston,</i>	<i>Raymond,</i>
<i>Bouillier,</i>	<i>De Salaberry,</i>	<i>McDonald, (Pres.)</i>	<i>Simpson,</i>
<i>Chesley,</i>	<i>Dunscob,</i>	<i>Merritt,</i>	<i>Viger, Hon. D.B.</i>
<i>Child,</i>	<i>Foster,</i>	<i>Neilson,</i>	<i>Watts.—18.</i>
<i>Christie,</i>	<i>Hamilton,</i>		

So it was carried in the affirmative and

Resolved—That a call of the House be made on *Wednesday* next, at 2 o'clock P. M.

Call of House Wednesday next, at 2. P. M.

On Motion of Mr. *Black*, seconded by Mr. *Dunscob*.

Ordered—That the Orders of the day be now called.

A Bill for improving the administration of Criminal Justice, in this Province, was according to Order, read a second time.

Resolved—That the said Bill be referred to a Committee of *five* members, to report thereon, with all convenient speed ; with power to send for persons, papers, and records.

Bill to improve administration of Justice read second time and referred to select committee.

Ordered—That Mr. *Black*, Mr. *Baldwin*, Mr. *Aylwin*, Mr. *Cartwright*, and Mr. Solicitor General *Day*, do compose the said Committee.

A Bill for consolidating and amending the Laws, in this Province, relative to Larceny, and other offences connected therewith, was, according to Order, read a second time.

Larceny Law Amendment Bill read second time and referred to select committee.

Resolved—That the said Bill be referred to a Committee of *five* members, to report thereon, with all convenient speed ; with power to send for persons, papers, and records.

Ordered—That Mr. *Black*, Mr. *Baldwin*, Mr. *Aylwin*, Mr. *Cartwright* and Mr. Solicitor General *Day*, do compose the said Committee.

A Bill for consolidating and amending the Laws, in this Province,

Bill for amending

Laws relative to Larceny read second time and referred to select committee.

relative to Larceny and other offences connected therewith, was according to Order, read a second time.

Resolved—That the said Bill be referred to a Committee of five members, to report thereon, with all convenient speed; with power to send for persons, papers, and records.

Ordered—That Mr. *Black*, Mr. *Baldwin*, Mr. *Aylwin*, *Cartwright*, and Mr. Solicitor General *Day*, do compose the said committee.

Order of day for second reading Bill. Benefit of Clergy, etc. postponed.

The order of the day for the second reading of the bill for repealing the several Statutes in this Province relative to the Benefit of Clergy, and to Larceny and other offences connected therewith, to Malicious Injuries to property, and to Offences against the person, being read.

Ordered—That the said order of the day be postponed until *Tuesday* the *thirteenth* instant.

Bill for amending Law relative to offences against the person, read second time & referred to select committee.

A Bill for consolidating and amending the Laws, in this Province, relative to offences against the person, was, according to order, read a second time.

Resolved—That the said Bill be referred to a committee of five members, to report thereon, with all convenient speed; with power to send for persons, papers, and records.

Ordered—That Mr. *Black*, Mr. *Baldwin*, Mr. *Aylwin*, Mr. *Cartwright*, and Mr. Solicitor General *Day*, do compose the said committee.

Bill relative to malicious injuries to property read second time and referred to select committee.

A Bill for consolidating and amending the laws, in this Province relative to Malicious Injuries to property, was, according to order, read a second time.

Resolved—That the said Bill be referred to a committee of five members, to report thereon with all convenient speed; with power to send for persons, papers, and records.

Ordered—That Mr. *Black*, Mr. *Baldwin*, Mr. *Aylwin*, Mr. *Cartwright*, and Mr. Solicitor General *Day*, do compose the said committee.

Order of day for second reading Bill for relief of Infirm. postponed.

The order of the day for the second reading of the bill for the relief of disabled and infirm persons, being read,

Ordered—That the said order of the day be postponed until to-morrow.

Order of day on Warehousing Bill, postponed

The Order of the day for the House in Committee, to consider the expediency of introducing measures for the warehousing and bonding of goods in the several free warehousing Ports of this Province, being read,

Ordered—That the said order of the day be postponed until to-morrow.

Order of day for considering laws levying duties on imports, postponed.

The Order of the day for the House in Committee to consider the expediency of enquiring into the several Laws, levying duties on imports into this Province, and to consider the propriety of amending and consolidating the same, being read,

Ordered—That the said Order of the day be postponed until to-morrow.

Order of day, for committee of whole on 1st Report on Clerk's Office, postponed.

The Order of the day for the House in Committee, on the first report of the Special Committee appointed to enquire what assistance it will be necessary to afford to the Clerk, and what Offices and departments it will be expedient to establish, for the effective and orderly conduct of the business of this House, being read,

Ordered—That the said Order of the day be postponed until to-morrow.

Then on motion of Mr. *Hamilton* seconded by Mr. *Aylwin*,
The House adjourned.

Martii 6^o die Julii ;

Anno 5^o Victoriae Reginae, 1841.

Mr. Speaker laid before the House a general statement of the affairs of the *Quebec Bank*.

Bank Statements laid before the House

Also a general statement of the affairs of the *Gore Bank*.

And a statement of the affairs of the Branch Bank of British North America, at *Toronto*.

The said statements being received in conformity to an order of this House of the 25th of *June*, last.

For the said statements see Apendix (C).

Mr. Speaker acquainted the House that *Charles Stewart* and *Henry John Boulton*, had entered into the usual recognizance required by law, on the subject matter of the contested election for the Town of *Niagara*.

Recognizance given in for Niagara contested election.

The following Petitions were severally brought up, and laid on the table.

Petitions brought up.

By Mr. *Black*, the Petition of the President, Vice President and Directors, representing the Stockholders of the *Quebec Bank*, and the Petition of the right reverend the Bishop of *Montreal*, and others, proprietors of land in the Seignory of *Saint Gabriel*.

President and Directors of Quebec Bank.
Bishop of Montreal & others.

By Captain *Steele*, the Petition of *Alexander Lewis*, and divers others, of the Townships of *Caledon*, *Albion*, *Mono*, and other places.

Alex. Lewis & others.

By Mr. *Christie*, the Petition of *John Rae*, and others, Inhabitants of *Kempt road*, in the county of *Bonaventure*, and the Petition of *Robert W. Kelly*, and others, Inhabitants of the upper part of the county of *Gaspé*.

John Rae and others.
R. W. Kelly & others.

By Mr. *Chesley*, the Petition of *Duncan McDonald*, and others, Inhabitants of the Town of *Cornwall*.

Duncan McDonald and others.

By Mr. *Bisicell*, the Petition of the Reverend *William Ryerson*, and others, composing the Board of the *Upper Canada Academy*.

Rev. Wm. Ryerson, and others.

By Mr. Attorney General *Ogden*, the Petition of the Honourable *Matthew Bell*, and others, Inhabitants of the District of *Three Rivers*.

Hon. Matthew Bell and others.

By Mr. *Hopkins*, the Petition of *William Robinson*, and others, Inhabitants of the Township of *Trafalgar*.

William Robinson and others.

By Mr. *Foster*, the Petition of the Reverend *Andrew Balfour*, and others, residents of the Township of *Shefford*.

Rev Andrew Balfour, and others.

Mr. *Hamilton*, from the Special Committee to which was referred the Bill to regulate the Fisheries in the District of *Gaspé*, reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Gaspé Fishery Bill reported amended.

Mr. Speaker having put the question "Is it the pleasure of the House to receive the report of the Committee?"

The House divided on the question, and it passed in the negative.

Report not received.

Ordered—That the Special Committee to which was referred the Petition of divers Inhabitants of the *Gore District*, have power to report, from time to time.

Committee on Petition of inhabitants of Gore District, have leave to report, from time to time.

On motion of Mr. *Morris*, seconded by Mr. *Thorburn*,

Ordered—That the Order of the day for receiving the report of the Committee of the whole House on the second report of the Standing Committee appointed to superintend the Printing of the House, during the

Second Report of committee on Printing recommitted.

present Session, lost by the adjournment of the House of *Friday* last, be revived, and discharged ; and that the said report be recommitted to the said Standing Committee, for further consideration.

Report of committee of whole on report of special committee on subject of subscribing to Newspapers revived.

Mr *Hincks* moved, seconded by captain *Steele*, that the Order of the day for receiving the report of the Committee of the whole House on the report of the Special Committee to which was referred the subject of the subscription of the House to the public Newspapers of the Province, lost by the adjournment of the House of *Friday* last, be revived, and that the report be now received.

The House divided on the motion, and the names being called for, they were taken down, as followeth :—

YEAS.

<i>Armstrong,</i>	<i>Harrison, Hon. B. Parent,</i>	<i>Ruel,</i>
<i>Baldwin,</i>	<i>Hincks,</i>	<i>Smith, (Went.)</i>
<i>Black,</i>	<i>Holmes,</i>	<i>Steele,</i>
<i>Boswell,</i>	<i>Hopkins,</i>	<i>Thorburn,</i>
<i>Day, Hon. C. D. MacNab, Sir A.N. Quesnel,</i>	<i>Price,</i>	<i>Twrcotte,</i>
<i>Dunn, Hon. J.H. Merritt,</i>	<i>Prince,</i>	<i>Viger, Hon. D.B.</i>
<i>Durand,</i>	<i>Raymond,</i>	(26).
	<i>Morris,</i>	

NOES.

<i>Burnet,</i>	<i>Foster,</i>	<i>McDonald, (Pres.)</i>	<i>Strachan,</i>
<i>Chesley,</i>	<i>Hale,</i>	<i>McLean,</i>	<i>Thompson,</i>
<i>Christie,</i>	<i>Hamilton,</i>	<i>Moore,</i>	<i>Watts,</i>
<i>Delisle,</i>	<i>Johnston,</i>	<i>Robertson,</i>	<i>Williams,</i>
<i>De Salaberry,</i>	<i>Jones,</i>	<i>Sherwood,</i>	<i>Yule.—21.</i>
<i>Dunscomb,</i>			

So it was carried in the affirmative.

Resolution reported from committee.

Accordingly Mr. *Armstrong* from the Committee of the whole House on the report of the Special Committee to which was referred the subject of the subscription of the House to the Public Newspapers of the Province, reported to the House the resolution of the said Committee, which was again read at the Clerks table as followeth :—

Resolution

Resolved, as the opinion of this Committee, that the Clerk of this House be authorized to procure, from the Proprietor of the *Mirror* of Parliament of Canada, five hundred copies of each publication of that paper, for the use of the members of this House, at the rate of five shillings currency, each, per month ; and that the same be charged in the contingent accounts of this House.

Motion for concurring in resolution.

Mr. *Hincks* moved, seconded by Captain *Steele*,—That the House doth concur with the Committee in the said resolution.

Amendment proposed.

Mr. *Hamilton*, then moved, in amendment, seconded by Mr. Solicitor General *Day*, that the question of concurrence be put upon the said resolution this day six months.

House divides on amendment.

The House divided on the motion of amendment and the names being called for, they were taken down as followeth :—

YEAS :

<i>Black,</i>	<i>De Salaberry,</i>	<i>Jones,</i>	<i>Small,</i>
<i>Burnet,</i>	<i>Draper, Hon. W.H.</i>	<i>McDonald, (Prest.)</i>	<i>Sherwood,</i>
<i>Chesley,</i>	<i>Dunscomb,</i>	<i>McLean,</i>	<i>Strachan,</i>
<i>Christie,</i>	<i>Foster,</i>	<i>Moore,</i>	<i>Thompson,</i>
<i>Crane,</i>	<i>Harrison, Hon. C.</i>	<i>Ogden, Hon. C.R.</i>	<i>Watts,</i>
<i>Daly, Hon. D.</i>	<i>Hale,</i>	<i>Robertson,</i>	<i>Williams,</i>
<i>Day, Hon. C.D.</i>	<i>Hamilton,</i>	<i>Roblin,</i>	<i>Yule.—30.</i>
<i>Delisle,</i>	<i>Johnston,</i>		

NOES.

<i>Armstrong,</i>	<i>Dunn, Hon. J.H.</i>	<i>Neilson,</i>	<i>Smith, (Fron.)</i>
<i>Baldwin,</i>	<i>Durand,</i>	<i>Parent,</i>	<i>Smith, (Went.)</i>
<i>Barthe,</i>	<i>Hincks,</i>	<i>Powell,</i>	<i>Steele,</i>
<i>Berthelot,</i>	<i>Holmes,</i>	<i>Price,</i>	<i>Taché,</i>
<i>Boswell,</i>	<i>Hopkins,</i>	<i>Prince,</i>	<i>Thorburn,</i>
<i>Boutillier,</i>	<i>Killaly, Hon. H.H.</i>	<i>Quesnel,</i>	<i>Turcotte,</i>
<i>Buchanan,</i>	<i>McNab, Sir A. N.</i>	<i>Raymond,</i>	<i>Viger, Hon. D.B.</i>
<i>Cameron,</i>	<i>Merritt,</i>	<i>Ruel,</i>	<i>Woods.—34.</i>
<i>Child,</i>	<i>Morris,</i>		

So it passed in the Negative,

Amendement lost.

The question being then put upon the main motion, the House divided thereon, and the names being called for, they were taken down as followeth :—

YEAS.

<i>Armstrong,</i>	<i>Dunn, Hon. J.H.</i>	<i>Neilson,</i>	<i>Smith, (Fron.)</i>
<i>Baldwin,</i>	<i>Durand,</i>	<i>Parent,</i>	<i>Smith, (Went.)</i>
<i>Barthe,</i>	<i>Hincks,</i>	<i>Powell,</i>	<i>Steele,</i>
<i>Berthelot,</i>	<i>Holmes,</i>	<i>Price,</i>	<i>Taché,</i>
<i>Boswell,</i>	<i>Hopkins,</i>	<i>Prince,</i>	<i>Thorburn,</i>
<i>Boutillier,</i>	<i>Killaly, Hon. H.H.</i>	<i>Quesnel,</i>	<i>Turcotte,</i>
<i>Buchanan,</i>	<i>McNab, Sir A. N.</i>	<i>Raymond,</i>	<i>Viger, Hon. D.B.</i>
<i>Cameron,</i>	<i>Merritt,</i>	<i>Roblin,</i>	<i>Woods.—35.</i>
<i>Child,</i>	<i>Morris,</i>	<i>Ruel,</i>	

NOES.

<i>Black,</i>	<i>De Sulaberry,</i>	<i>Jones,</i>	<i>Small,</i>
<i>Burnet,</i>	<i>Draper, Hon. W.H.</i>	<i>McDonald, (Pres.)</i>	<i>Sherwood,</i>
<i>Chesley,</i>	<i>Dunscomb,</i>	<i>McLean,</i>	<i>Strachan,</i>
<i>Christie,</i>	<i>Foster,</i>	<i>Moore,</i>	<i>Thompson,</i>
<i>Crane,</i>	<i>Harrison, Hon. B.</i>	<i>Noel,</i>	<i>Watts,</i>
<i>Daly, Hon. D.</i>	<i>Hale,</i>	<i>Ogden, Hon. C. R.</i>	<i>Williams,</i>
<i>Day, Hon. C.D.</i>	<i>Hamilton,</i>	<i>Robertson,</i>	<i>Yule.—31.</i>
<i>Delisle,</i>	<i>Johnston,</i>	<i>Simpson,</i>	

So it was carried in the affirmative, and,
Resolved—accordingly.

Original Question carried.

The Honourable *S. B. Harrison*, one of Her Majesty's Executive Council, delivered to Mr. Speaker a message from His Excellency, the Governor General, signed by His Excellency.

And the said message was read by Mr. Speaker, All the members of the House being uncovered, and is as followeth :—

SYDENHAM,

The Governor General informs the House of Assembly that the Bill passed by the Legislative Council and House of Assembly of the late Province of *Upper Canada*, in the month of *May*, 1839, and reserved by the Lieutenant Governor of that Province for the signification of Her Majesty's pleasure, entitled "*an Act to authorize the purchase of the Private Stock in the Welland Canal on the part of this Province, and for other purposes therein mentioned*" was specially confirmed and finally enacted by Her Majesty in Council on the 11th day of *September*, 1840.

Message from His Excellency the Governor General.

Act for purchasing Welland Canal private stock, confirmed by Her Majesty.

Government House, Kingston, }
5th, June, 1841. }

Committee to wait on His Excellency with address for information on timber duties, reports answer

Mr. *Aylwin*, accompanied by the other Messengers, reported to the House, that their address of the *thirteenth* of *June* last, to His Excellency, the Governor General, praying him to be pleased to cause to be laid before this House a copy of all correspondence between Her Majesty Ministers and His Excellency, in relation to any alteration in the scale of duties upon the importation into *Great Britain*, of foreign and colonial timber, or either, had been presented to His Excellency :—and that he had been pleased to give the following answer :

“ GENTLEMEN,

Answer to address to Governor General on timber duties.

I have not received from the Secretary of State any communication on the subject of the proposed alteration of the duties, on Foreign or Colonial Timber, imported into the *United Kingdom* ; I will transmit, however, for the information of the House of Assembly, the copy of a despatch which I addressed to the Secretary of State on that subject, in the month of *April* last.”

Committee to wait on His Excellency with address for copy of Report on Toronto Riots, reports answer.

Mr. *Aylwin*, accompanied by the other Messengers, reported to the House that their address of the *thirteenth* of *June* last, to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be laid before this House a copy of the report and proceedings of the Commissioners appointed to investigate certain supposed riots at or after the election of two members to serve in Parliament, for the city of *Toronto*, had been presented to His Excellency and that He had been pleased to give the following answer :—

“ GENTLEMEN,

Answer to address to His Excellency for copy of report of Commissioners on Toronto Riots.

I have not yet received any report from the gentlemen who were deputed by me to investigate certain proceedings at *Toronto*, but when I shall have received, and shall have considered that report, I have little doubt of being able to comply with the wishes of the House of Assembly, by laying a copy of it before them.”

An address to be sent to His Excellency, for information in relation to losses of C. Leggo.

On motion of Mr. *Morris*, seconded by Mr. *Thorburn*,
Resolved—That an humble address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to inform this House whether an answer has been received from Her Majesty to an address of the late House of Assembly of *Upper Canada*, in behalf of *Christopher Leggo*, of the Town of *Brockville*, and that the Honourable S. B. *Harrison*, and *W. H. Draper* do present the same.

Trial of Hastings controverted election postponed.

Sir *Allan McNab* moved, seconded by Mr. *Morris*, that the time appointed for the trial of the *Hastings* contested election be postponed until the hour of *four* o'clock, P. M., *to-morrow*, and that notices be given to the parties accordingly.

The question having been put upon the said motion, a division ensued, and it was carried in the affirmative.

Ordered, accordingly.

Committee of whole, to-morrow, on petition of William Walker and others.

On motion of Mr. *Neilson*, seconded by Mr. *Cameron*,
Resolved—That this House will, on *Friday* next, resolve itself into a Committee of the whole House, to take into consideration the Petition of *William Walker*, and others, inhabitants of the City of *Quebec*, presented to the House on the 16th day of *June*, last.

House to go into Committee of whole on Thursday next on proceedings of Lower Canada on controverted elections.

On motion of Mr. *Neilson*, seconded by Mr. *Christie*,
Ordered—That the order of the day, for the House in Committee, to consider the orders adopted by the late House of Assembly of *Lower Canada* for regulating its proceedings, in cases of contested elections in that

Province, lost by the adjournment of the House on *Friday* last, be revived, and that this House will, on *Thursday* next, resolve itself into the said Committee.

The order of the day, for the House in Committee, to take into consideration the state of the Law relating to the Courts of Requests, in that part of the Province formerly called *Upper Canada*, being read.

House in Committee of whole on Court of Requests Law

The House accordingly resolved itself into the said Committee.

Mr. *McLean* took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair,

And Mr. *McLean* reported, that the Committee had come to a resolution, which resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:—

Resolved—That the Laws now in force, constituting and regulating the Courts of Request, in that part of this Province formerly *Upper Canada*, requires amendment, so as to render it unnecessary to employ so large a number of persons to discharge the duties of Commissioners in those Courts—to introduce the principle of substituting payment by salary instead of by fees—and generally to improve the practice of those Courts.

Ordered—That Mr. Attorney General *Draper* have leave to bring in a Bill to repeal the Laws now in force in that part of this Province formerly called *Upper Canada*, for the recovery of small debts, and to make other provision therefor.

He accordingly presented the said Bill, and the same was received and read the first time, and,

Bill for recovery of Small Debts brought in and read, and ordered to be printed.

Ordered—That the said Bill be read this day week.

Ordered—That five hundred copies of the said Bill be printed for the use of the members of this House.

A Bill to require Justices of the Peace to make returns of convictions and fines, was, according to order, read a second time.

Resolved—That the said Bill be referred to a Committee of five members to report thereon, with all convenient speed; with power to send for persons, papers, and records.

Bill for returns of convictions and fines from Justices, read second time and referred to select committee

Ordered—That Mr. Attorney General *Draper*, Mr. *Prince*, Mr. *Baldwin*, Mr. *Merritt*, and Mr. *Boswell*, do compose the said Committee.

The order of the day for the second reading of the Bill to establish a Company by the name of the "*Sydenham Mountain Road Company*," being read,

Mr. *Smith* moved, seconded by Mr. *Roblin*,

That the seventy first rule of this House be dispensed with, as relates to this Bill.

The question having been put upon the said motion, a division ensued, and it passed in the negative.

The order of the day for the second reading of the Bill to enable members of the Legislative Assembly, for places within that part of the Province formerly constituting the Province of *Upper Canada*, to vacate their seats, in certain cases, and for other purposes, being read,

Order of day for 2nd reading Seats Vacation Bill postponed.

Ordered—That the said order of the day be postponed until *tomorrow*.

The order of the day for taking into consideration a motion made by Mr. *Prince*, on *Monday* the 28th of *June*, last, viz: That the grounds and reasons of complaint set forth in the *Petition* of divers electors of the County of *St. Maurice*, if true, are sufficient to make void the election of *Joseph Eduard Turcotte, Esq.*, being read,

Do. for considering a motion on St. Maurice contested election, postponed.

Ordered—That the said order of the day be postponed until *Thursday* next.

House in Committee of whole on Act for payment of claims

The order of the day, for the House in committee, to consider the expediency of amending the Act now in force in that part of this Province formerly called *Upper Canada*, entitled “*An Act to ascertain and provide for the payment of all just claims arising from the late Rebellion and invasion of this Province,*” by enlarging the time for the sittings of the Commissioners to be appointed under and by virtue of that Act, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Delisle* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Delisle* reported, that the Committee had come to a Resolution, which Resolution was again read at the Clerk’s Table, and agreed to by the House, and is as followeth:—

Resolution reported.

Resolved—That the Act now in force in that part of this Province formerly called *Upper Canada*, entitled “*An Act to ascertain and provide for the payment of all just claims arising from the late Rebellion and Invasion of this Province,*” requires to be amended by enlarging the time for the sittings of the Commissioners to be appointed under and by virtue of that Act.

Bill to amend the above Act brought in and read

Ordered—That Mr. *Prince* have leave to bring in a Bill to amend and enlarge an Act of the Legislature of the late Province of *Upper Canada*, entitled “*An Act to ascertain and provide for the payment of all just claims arising from the late Rebellion and Invasion of this Province.*”

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and,

Ordered—That the said Bill be read a second time this day week.

Order of day for Committee of whole on Game Law, postponed

The order of the day, for the House in Committee, to take into consideration the expediency of amending the Act now in force in that part of this Province formerly called *Upper Canada*, entitled “*An Act to amend an Act passed in the fourth year of the Reign of His Majesty King George the fourth, entitled ‘An Act for the preservation of Deer within this Province,’ and to extend the provisions of the same, and to prohibit hunting and shooting on the Lord’s Day,*” by altering the time for the commencement of *Woodcock* shooting, from the *first* day of *September* to the *fifteenth* day of *July*, in every year, being read,

Ordered—That the said order of the day be postponed until this day week.

House in committee on Ordinances relating to Board of Works

The order of the day, for the House in Committee, to take into consideration the expediency of repealing an Ordinance of the Legislature of that part of this Province heretofore called *Lower Canada*, intituled “*An Ordinance to establish a Board of Works in this Province;*” and another Ordinance of the same Legislature, intituled “*An Ordinance to amend and render permanent the Ordinance establishing a Board of Works in this Province,*” and of making provision for the establishment of a Board of Works for the Province of *Canada*, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Derbshire* took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Resolution reported.

And Mr. *Derbshire* reported, that the Committee had come to a resolution, which he was directed to submit to the House whenever it shall be pleased to receive the same.

Mr. Speaker having put the question—

Is it the pleasure of the House to receive the report of the Committee?

The House divided, and the names being called for, they were taken down as followeth:—

YEAS.

<i>Armstrong,</i>	<i>Draper, Hon. W. H. Johnston,</i>	<i>Small,</i>
<i>Boswell,</i>	<i>Dunn, Hon. J. H. Jones,</i>	<i>Smith, (Front.)</i>
<i>Buchanan,</i>	<i>Dunscomb,</i>	<i>Smith, (Went.)</i>
<i>Day, Hon. C. D.</i>	<i>Durand,</i>	<i>Thorburn,</i>
<i>Delisle,</i>	<i>Harrison, Hon. S. B. Prince,</i>	<i>Watts,</i>
<i>Derbshire,</i>	<i>Hincks,</i>	<i>Woods.—27.</i>
<i>De Sulaberry,</i>	<i>Holmes,</i>	
	<i>Simpson,</i>	

NOES.

<i>Aylwin,</i>	<i>Berthelot,</i>	<i>Noel,</i>	<i>Viger, Hon. D. B.</i>
<i>Baldwin,</i>	<i>Boutillier,</i>	<i>Raymond,</i>	(7).

So it was carried in the affirmative,

And the report was received, and the resolution was again read at the Clerk's Table, as followeth:—

Resolved—That it is expedient to repeal a certain Ordinance of the Legislature of the late Province of *Lower Canada*, passed in the second year of Her Majesty's Reign, and intituled "*An Ordinance to establish a Board of Works in this Province;*" and to inquire into the practical operation of the Board of Works since its establishment, and the expense attending the same. Resolution.

Mr. Solicitor General *Day*, moved, seconded by the Honourable Mr. *Harrison*,

That the House doth concur with the Committee in the said Resolution.

The question having been put upon the said motion, a division ensued, and it was carried in the affirmative, and, House concurs in Resolution.

Resolved—That this House doth concur with the Committee in the said Resolution.

Ordered—That Mr. Solicitor General *Day* have leave to bring in a Bill to repeal certain Ordinances therein mentioned, and to establish a Board of Works in this Province. Board of Works Bill brought in, and read.

He accordingly presented the said Bill to the House, and the same was received and read, for the first time, and,

Ordered—That the said Bill be read a second time on *Wednesday*, the 14th instant.

Several members having retired, the names of those present were taken down, as followeth:— Names taken down.

Mr. Speaker,

Mr. *Armstrong*, Mr. *Baldwin*, Mr. *Boswell*, Mr. *Boutillier*, Mr. *Buchanan*, Honourable Mr. *Day*, Mr. *Delisle*, Mr. *Dunscomb*, Mr. *Hincks*, Mr. *Johnston*, Mr. *Morris*, Mr. *Prince*, Mr. *Quesnel*, Mr. *Raymond*, Mr. *Simpson*, Mr. *Small*, Mr. *Henry Smith*, and the Honourable Mr. *Viger*.

And at ten minutes past *ten* o'clock at night, Mr. Speaker adjourned the House for want of a Quorum.

Mercurii 7^o die Julii;

Anno 5^o Victoriae Reginae, 1841.

Pursuant to the order of the day, at *two* o'clock, P. M., the House was called.

MEMBERS ABSENT.

Members absent at call of House.

Mr. *Borne*, (not yet taken his seat.)
 Mr. *Cook*, (with leave.)
 Mr. *Desrivieres*.
 Mr. *Duggan*, (sick.)
 Mr. *Johnston*.
 Mr. *Kimber*, (with leave.)
 Mr. *McCulloch*.
 Mr. *J. S. Macdonald*, (sick.)
 Hon. Mr. *Moffatt*, (with leave.)
 Mr. *Morin*.
 Mr. *Henry Smith*.

House proceeded in trial of Niagara contested election

The hour appointed for taking into consideration the Petition of *Robert Melville* and *John McBride*, electors of the Town of *Niagara*, complaining of the undue election and return of *Edward Clark Campbell*, Esquire, as member to represent the said Town of *Niagara*, in this present Parliament, being come,

The House proceeded to the appointment of a select Committee to try and determine the merits of said Petition.

The Sergeant-at-Arms was directed by Mr. Speaker to go with the Mace to the places adjacent, and require the attendance of the members on the business of the House;

And he went accordingly.

And being returned, the House was called, and more than thirty members being present,

Mr. Speaker called upon the Petitioners, their Counsel or Agent, to appear at the Bar.

J. H. Cameron, Esquire, appeared at the Bar, as Counsel for the Petitioners.

Mr. Speaker called upon the Sitting Member, his Counsel or Agent, to appear at the Bar.

Mr. *Campbell*, Sitting Member for the said Town of *Niagara*, appeared at the Bar in his own behalf.

J. H. Cameron, Esquire, Counsel for the Petitioners, presented a list of witnesses in the case of the Petition of *Robert Melville* and *John McBride*, which was read by the Clerk, as follows:—

Counsel for petitioners—present list of Witnesses

NAMES.	RESIDENCE.	NAMES.	RESIDENCE.
<i>Barney Broderick</i> ,	Niagara.	<i>John Harvey</i> ,	Township of Niagara.
<i>John Nesbit</i> ,	do.	<i>Andrew Brady</i> ,	Town of Niagara.
<i>Henry James Neston</i> ,	do.	<i>James Boulton</i> ,	do.
<i>Patrick Mc Guire</i> ,	do.	<i>Robert Tune</i> ,	do.
<i>Henry Charles</i> ,	do.	<i>James Mahony</i> ,	do.
<i>George Robinson</i> ,	do.	<i>Wm. Edwards</i> ,	do.
<i>John Rogers</i> ,	do.	<i>Charles R. Loscombe</i> ,	do.
<i>Charles E. Kingsmill</i> ,	do.	<i>Henry Telford</i> ,	do.
<i>Wm. Copeland</i> ,	do.	<i>Thos. Cumston</i> ,	do.
<i>David Thompson</i> ,	do.	<i>James Patterson</i> ,	do.
<i>Andrew Elison, Junr.</i> ,	do.	<i>Wm. Richardson</i> ,	do.
<i>William Coyley</i> ,	do.	<i>William Calder</i> ,	do.

NAMES.	RESIDENCE.	NAMES.	RESIDENCE.	
<i>Alexander Ross,</i>	Town of Niagara.	<i>John Claus,</i>	Town of Niagara.	List of Witnesses in behalf of Petitioners.
<i>Bernard Roddy,</i>	do.	<i>Joseph Woodruff,</i>	do.	
<i>John Cox,</i>	Township of do.	<i>Adam Brown,</i>	Township of do.	
<i>Edward M. Muller,</i>	Town of do.	<i>John M. Farlane,</i>	do.	
<i>James Ralston,</i>	do.	<i>Edward Molloy,</i>	Town of do.	
<i>John Swinton,</i>	do.	<i>Daniel Ingleby,</i>	do.	
<i>Walter Elliot,</i>	do.	<i>Joseph Clement,</i>	Township of do.	
<i>George Varey,</i>	do.	<i>Patrick Finn,</i>	Town of do.	
<i>Walter Dickson,</i>	do.	<i>Philip Cathaline,</i>	do.	
<i>John Maneilly,</i>	do.	<i>John Law,</i>	do.	
<i>Chester Culver,</i>	do.	<i>Samuel Street,</i>	Stamford.	
<i>Wm. Blood,</i>	do.	<i>James Steel,</i>	Niagara.	
<i>James Cummings,</i>	Chippewa.	<i>John Graham,</i>	do.	
<i>George Yeo,</i>	Town of Niagara.	<i>Johnston Stewart,</i>	do.	
<i>John Lyons,</i>	do.	<i>William Gaire,</i>	do.	
<i>John Bright,</i>	do.	<i>The Hon. J. Macaulay,</i>	Toronto.	
<i>John Andrew,</i>	do.	<i>Philip Delatre,</i>	Stamford.	
<i>Thos. Sampson,</i>	do.	<i>Jas. M. Gill Strachan,</i>	Toronto.	
<i>Wm. Kingsmill,</i>	do.	<i>Richard Miller,</i>	Town of Niagara.	
<i>Alex. Morrisson,</i>	do.	<i>John Barker,</i>	do.	
<i>Jasper Gilkison,</i>	do.	<i>William Harvey,</i>	do.	
<i>Charles Grange,</i>	do.	<i>James Harvey,</i>	do.	
<i>Samuel Reid,</i>	do.	<i>Joseph Archer,</i>	do.	
<i>John Whitten,</i>	do.	<i>Obadiah Johnson,</i>	do.	
<i>Stephen Follet,</i>	do.	<i>Charles Copeland,</i>	do.	
<i>Alexander Christie,</i>	do.	<i>John Copeland,</i>	do.	
<i>Chas. Lethum Hall,</i>	do.	<i>Henry Graham,</i>	do.	
<i>Margaret Courtney,</i>	do.	<i>Thomas Adams,</i>	do.	
<i>Arthur Dillon,</i>	do.	<i>Wm. Reed,</i>	do.	
<i>Mary Anne Weir,</i>	do.	<i>Lewis Donally,</i>	do.	
<i>William Ball,</i>	Township of do.	<i>James Burns,</i>	do.	
<i>William Hamilton,</i>	Town of do.	<i>Wm. Telfer,</i>	do.	
<i>Warren Claus,</i>	do.	<i>Ralfe Mordon Long,</i>	do.	
<i>Lachlan Bell,</i>	do.	<i>Wm. Kennedy Smith,</i>	Brantford.	
<i>Joseph Jayney,</i>	do.			

Mr. Campbell handed in a List of Witnesses required in behalf of himself as the Sitting Member for the Town of Niagara, which was also read by the Clerk as follows:—

Mr. Campbell, the
Sitting Member, pre-
sents his List of
Witnesses.

NAMES.	RESIDENCE.	NAMES.	RESIDENCE.
<i>John L. Alma,</i>	Town of Niagara.	<i>Edward R. Bolton,</i>	Town of Niagara.
<i>John Andrew,</i>	do.	<i>Lewis Bright,</i>	City of Toronto.
<i>Thos. B. Anderson,</i>	City of Montreal.	<i>Thomas Burke,</i>	Town of Niagara.
<i>Miss S. Burgess,</i>	Town of Niagara.	<i>Bartw. C. Beardsley,</i>	Woodstock, New Br.
<i>Beaver Bonner,</i>	do.	<i>Wm. M. Ball,</i>	Township of Niagara.
<i>James Boulton,</i>	do.	<i>Bernard F. Ball,</i>	do.
<i>Thomas Butler,</i>	do.	<i>Richard Brewer,</i>	City of Toronto.
<i>James Blain,</i>	do.	<i>Alexander Bell,</i>	City of Quebec.
<i>Thomas Benson,</i>	do.	<i>Donald Chisholm,</i>	Glengarry.
<i>David Bridgford,</i>	do.	<i>John Claus,</i>	Town of Niagara.
<i>Thomas Bentley,</i>	do.	<i>Mathew Cathline,</i>	do.
<i>John Burns,</i>	do.	<i>Louis Chickhine,</i>	Village of St. Cathe- rines.
<i>Lachlan Bell,</i>	do.		
<i>William Barr,</i>	do.	<i>Johnson Clench,</i>	Town of Niagara.
<i>John Barker,</i>	do.	<i>Ralfe Clench,</i>	do.
<i>Robert E. Burns,</i>	City of Toronto.	<i>Henry Charles,</i>	do.
<i>Emanuel Best,</i>	do.	<i>Hon James Crooks,</i>	Township of W. Flambro.
<i>James R. Boyd,</i>	Town of Niagara.		
<i>Francis Bogardus,</i>	do.	<i>Thomas Conner,</i>	Town of Niagara.
<i>John C. Ball,</i>	Township of Niagara.	<i>Warran Claus,</i>	do.
<i>Peter H. Ball,</i>	do.	<i>John Clark,</i>	do.
<i>George Ball,</i>	do.	<i>Charles Cheeseman,</i>	do.
<i>Thomas Buggins,</i>	Town of Niagara.	<i>Lewis Clement,</i>	do.
<i>Andrew Boylan,</i>	do.	<i>William Caley,</i>	do.
<i>William Buzman,</i>	do.	<i>Charles Conner,</i>	do.
<i>James Burns,</i>	do.	<i>Rev. John Carrol,</i>	Township of Niagara.
<i>Edward C. Bolton,</i>	do.	<i>Edward Courtney,</i>	Town of Niagara.

List of Witnesses in
behalf of Sitting Mem-
ber.

NAMES.	RESIDENCE.	NAMES.	RESIDENCE.
<i>William Calder,</i>	Town of Niagara.	<i>Elizabeth Gamble,</i>	Town of Niagara.
<i>Philip Cathline,</i>	do.	<i>Thomas Godfrey,</i>	do.
<i>Joseph Clement,</i>	Township of Niagara.	<i>Joseph Graham,</i>	Township of Niagara.
<i>James Cummings,</i>	Village of Chippewa.	<i>John B. Geale,</i>	Town of Niagara.
<i>John E. Clyde,</i>	Town of Niagara.	<i>Charles Gamble,</i>	City of Toronto.
<i>Robert Cole,</i>	do.	<i>Robert Gray,</i>	Village of St. Cathe- rines.
<i>Thomas Courtney,</i>	do.	<i>James Givens,</i>	Town of London.
<i>William Curtis,</i>	do.	<i>Robert Gillespie,</i>	City of London.
<i>George Cook,</i>	do.	<i>James Goslin,</i>	Township of Stam- ford.
<i>Robert A. Connolly,</i>	Township of Niagara.	<i>George Gregory,</i>	City of Montreal.
<i>F. A. B. Clench,</i>	Town of Niagara.	<i>John Grant,</i>	City of Toronto.
<i>John Clyde,</i>	do.	<i>George Houghton,</i>	do.
<i>Samuel M. Carter,</i>	do.	<i>David Hobbs,</i>	Town of Niagara.
<i>Mathewson Campbell,</i>	do.	<i>Margaret Hurst,</i>	do.
<i>Thomas Cumpston,</i>	do.	<i>Charles L. Hall,</i>	do.
<i>Rolph M. Clement,</i>	do.	<i>Richard Hiseott,</i>	Township of Niagara.
<i>William Copland,</i>	do.	<i>Andrew Heron, Jun.,</i>	Town of Niagara.
<i>William Cockell,</i>	Picton, Prince Ewd.	<i>Andrew Heron, Sen.,</i>	do.
<i>Joseph Crouch,</i>	Town of Niagara.	<i>John R. Holden,</i>	do.
<i>Alexander Charteris,</i>	Town of Hamilton.	<i>Richard Howard,</i>	do.
<i>Peter B. Clement,</i>	Township of Niagara.	<i>George Hutt,</i>	Township of Niagara.
<i>William Chisholm,</i>	Oakville.	<i>Adam Hutt,</i>	do.
<i>Robert Cathcart,</i>	City of Toronto.	<i>James Harvey,</i>	Town of Niagara.
<i>Joseph B. Clench,</i>	Murray Town.	<i>Reuben Harvey,</i>	do.
<i>Ralph M. Cryster,</i>	Rochester, U. S.	<i>Thomas Hodgman,</i>	do.
<i>John Cameron,</i>	Dundas,	<i>Leonard Hewitt,</i>	do.
<i>John Cameron,</i>	Hamilton.	<i>William C. Humphreys,</i>	do.
<i>John Cameron,</i>	Toronto.	<i>James Hamilton,</i>	Village of Dundas.
<i>William Dunn,</i>	Town of Niagara.	<i>George Hamilton,</i>	Town of Niagara.
<i>Robert Dickson,</i>	do.	<i>Dr. Joseph Hamilton,</i>	Township of Niagara.
<i>Matthew Dobie,</i>	do.	<i>Francis House,</i>	Township of Crow- land.
<i>Frederick Dean,</i>	do.	<i>James B. Jones,</i>	Grantham.
<i>Walter H. Dickson,</i>	do.	<i>Jesse Jones,</i>	Township of Louth.
<i>Lewis Donnelly,</i>	do.	<i>Daniel Inglebey,</i>	Town of Niagara.
<i>Alexander Davidson,</i>	do.	<i>Robert Kay,</i>	do.
<i>Thomas Dover,</i>	do.	<i>William Kingsmill,</i>	do.
<i>Edward Dixon,</i>	do.	<i>Joseph King,</i>	do.
<i>George Dawson,</i>	do.	<i>Charles Kowne,</i>	do.
<i>Wm. Dixon, Jun.,</i>	Village of Galt.	<i>Jacob Keefer,</i>	Village of Thorold.
<i>The Hon. Wm. Dickson,</i>	Town of Niagara.	<i>George Keefer,</i>	do.
<i>Walter Elliot,</i>	do.	<i>John Lyons,</i>	Town of Niagara.
<i>Thomas Edson,</i>	do.	<i>James Lockhart,</i>	do.
<i>John Eaglesum,</i>	do.	<i>John Love,</i>	do.
<i>John Eakin,</i>	do.	<i>Ralph M. Long,</i>	do.
<i>Robert Emery,</i>	City of Toronto.	<i>John Leeper,</i>	do.
<i>Daniel Fuller,</i>	Township of Niagara.	<i>Sergeant Patrick Lee,</i>	do.
<i>Charles Field,</i>	Town of Niagara.	<i>Isaac Lewis,</i>	do.
<i>John Frazer,</i>	do.	<i>Henry Latimer,</i>	do.
<i>Walter Follett,</i>	do.	<i>Carleton H. Leonard,</i>	City of Toronto.
<i>John Franklin,</i>	do.	<i>Catherine A. M. Lyons,</i>	Town of Niagara.
<i>Patrick Finn,</i>	do.	<i>Wm. M. Lyons,</i>	City of Toronto.
<i>Abraham Fisher,</i>	do.	<i>William Lester,</i>	do.
<i>Thomas Fletcher,</i>	do.	<i>Robert Miller,</i>	Town of Niagara.
<i>Duncan Forbes,</i>	do.	<i>Margery Miller,</i>	do.
<i>William Floyd,</i>	do.	<i>Donald McDonald,</i>	do.
<i>William Fisher,</i>	do.	<i>Robert Melville,</i>	do.
<i>Thomas Flynn,</i>	do.	<i>Edward McMillan,</i>	do.
<i>James Frazer,</i>	do.	<i>John McBride,</i>	do.
<i>John Fenton,</i>	do.	<i>Wm. Moffatt,</i>	do.
<i>William Fulton,</i>	do.	<i>Dr. Joseph Merideth,</i>	do.
<i>George Foley,</i>	do.	<i>James Morrison,</i>	Township of Niagara.
<i>William Fram,</i>	Township of Stam- ford.	<i>Alex. Morrison,</i>	do.
<i>Alexander Garrett,</i>	Town of Niagara.	<i>William Duff Miller,</i>	Town of Niagara.
<i>William Gorrie,</i>	do.	<i>James Miller,</i>	do.
<i>Jasper Gilkison,</i>	do.	<i>John McInelly, Sen.,</i>	do.
<i>Archibald Gilkison,</i>	do.	<i>John McInelly, Jun.,</i>	do.
<i>John Graham,</i>	do.		
<i>Wm. Gardiner,</i>	Township of Niagara.		

NAMES.	RESIDENCE.	NAMES.	RESIDENCE.
<i>James Mahony,</i>	Town of Niagara.	<i>John Hack,</i>	Town of Niagara.
<i>Gage Miller,</i>	do.	<i>Charles B. Secord,</i>	Town of Queenston.
<i>Edward Malloy,</i>	do.	<i>William Sadler,</i>	Town of Niagara.
<i>John Mandifield,</i>	do.	<i>Arthur Shaw,</i>	Village of St. David's.
<i>Stephen Morris,</i>	do.	<i>Cortland Secord,</i>	Township of Niagara.
<i>Richard Moffatt,</i>	do.	<i>William Surby,</i>	Town of Niagara.
<i>Michael Morley,</i>	do.	<i>Jared Stocking,</i>	do.
<i>John Manifold,</i>	do.	<i>Charles Smith,</i>	do.
<i>Wm. Mellanby,</i>	do.	<i>Hezekiah H. Smith,</i>	Village of Youngs-
<i>Richard M. Gan,</i>	do.		town.
<i>Geo. Mickleborough,</i>	do.	<i>John Shaver,</i>	Town of Niagara.
<i>Hugh McNally,</i>	do.	<i>John G. Stevenson,</i>	do.
<i>Hugh Moore,</i>	do.	<i>John Swinton,</i>	do.
<i>Henry Miller,</i>	do.	<i>John Simpson,</i>	do.
<i>Richard Miller,</i>	do.	<i>William Stewart,</i>	County of Haldi-
<i>Thomas Morrisson,</i>	do.		mand.
<i>Daniel M. Dougal,</i>	do.	<i>John Stewart,</i>	Town of Niagara.
<i>John M. Farland,</i>	Township of Niagara.	<i>William C. Stoneman,</i>	Township of Stam-
<i>Hon. Jas. B. Macaulay,</i>	City of Toronto.		ford.
<i>Wm. Miller, Jun.,</i>	Village of Dundas.	<i>Peter H. Swartz,</i>	Town of Niagara.
<i>John Miller,</i>	Village of Galt.	<i>Johnson Stewart,</i>	do.
<i>Hon. Alex. M. Donnell,</i>	City of Toronto.	<i>Thomas Sewell,</i>	do.
<i>Richard Miller,</i>	Town of Niagara.	<i>William Senior,</i>	do.
<i>Thos. Morrisson,</i>	Township of Niagara.	<i>Joseph Simpson,</i>	do.
<i>William H. Merritt,</i>	Village of St. Ca-	<i>Jacob Steele,</i>	do.
	therines.	<i>Alexander Stewart,</i>	do.
<i>George Monro,</i>	City of Toronto.	<i>William L. Smith,</i>	Village of St. David's.
<i>John Nesbit,</i>	Town of Niagara.	<i>Nicholas Smith,</i>	Village of Thorold.
<i>Robert Nellis,</i>	Grimsbury.	<i>George W. Shockey,</i>	Village of Lewiston.
<i>Henry Nellis,</i>	do.	<i>Thomas C. Street,</i>	Fall's Mills.
<i>Morris O'Donnell,</i>	Town of Niagara.	<i>Joel Skinner,</i>	Township of Stam-
<i>Arthur O'Neal,</i>	do.		ford.
<i>James W. Overfield,</i>	Village of Dundas.	<i>Margaret Stewart,</i>	Town of Niagara.
<i>William Overfield,</i>	do.	<i>Thomas Saupson,</i>	do.
<i>John H. Oakley,</i>	Village of Bronti.	<i>Robert Tunc,</i>	do.
<i>John H. Oakley,</i>	Village of Drum-	<i>Henry Telford,</i>	do.
	mond-ville.	<i>David Thompson,</i>	do.
<i>William Press,</i>	Town of Niagara.	<i>Thomas Todd,</i>	do.
<i>Samuel Proctor,</i>	do.	<i>Stephen Todd,</i>	do.
<i>Francis Proctor,</i>	do.	<i>Charles Toul,</i>	do.
<i>William Primus,</i>	do.	<i>Frederick Tench,</i>	Township of Niagara.
<i>Wenwright Proctor,</i>	do.	<i>Henry Tench,</i>	do.
<i>James Patterson,</i>	do.	<i>Thomas H. Taylor,</i>	Town of Hamilton.
<i>Mr. Prescott, (Secre-</i>	} Village of St. Cathe-	<i>George Varey,</i>	Town of Niagara.
<i>tary, Welland Ca-</i>		<i>Eli Varey,</i>	do.
<i>nal co.,)</i>		<i>Wm. Vanderlip,</i>	Village of Ancaster.
<i>Angus Ready,</i>	Township of Stam-	<i>Robert Vanderlip,</i>	do.
	ford.	<i>Walter Wilson,</i>	Town of Niagara.
<i>John Rogers,</i>	Town of Niagara.	<i>Wm. B. Winterbottom,</i>	do.
<i>Charles Richardson,</i>	do.	<i>George Watts,</i>	do.
<i>Wm. B. Robinson,</i>	Village of St. Cathe-	<i>James Watts,</i>	do.
	rines.	<i>Ephraim J. Wheeler,</i>	do.
<i>Mary Ann Rogers,</i>	Town of Niagara.	<i>Alexander Wall,</i>	do.
<i>Bernard Roddy,</i>	do.	<i>George Winterbottom,</i>	do.
<i>William Riley,</i>	do.	<i>Simon Welch,</i>	Township of Niagara.
<i>Alexander Ross,</i>	do.	<i>Richard Wagstaff,</i>	Town of Niagara.
<i>Robert Reed,</i>	do.	<i>John Wagstaff,</i>	do.
<i>James Rogers,</i>	Township of Louth.	<i>John Waters,</i>	do.
<i>David Russel,</i>	do.	<i>John Whitten,</i>	do.
<i>Hugh Reed,</i>	do.	<i>Jonathan Watts,</i>	do.
<i>Erastus B. Raymond,</i>	Village of St. Cathe-	<i>William Welch,</i>	do.
	rines.	<i>Joseph A. Woodruff,</i>	do.
<i>Jonathan P. Raymond,</i>	Lewiston, U. S.	<i>Thomas Whitten,</i>	do.
<i>David W. Smith,</i>	Village of St. Cathe-	<i>John Wagstaff, Jun.,</i>	Village of Dundas.
	rines.	<i>William Woodruff,</i>	Village of St. David's.
<i>Samuel Street,</i>	Township of Stam-	<i>Gerstom Wright,</i>	Village of St. Cathe-
	ford.		rines.
<i>John Savage,</i>	Town of Niagara.	<i>John Walker,</i>	do.
<i>Charles Stewart,</i>	do.	<i>Joseph Wilson,</i>	Town of Niagara.

List of Witnesses in
behalf of Sitting Mem-
ber.

NAMES.	RESIDENCE.	NAMES.	RESIDENCE.
<i>William Walker,</i>	City of Quebec.	<i>John Milton,</i>	County of Haldimand.
<i>John Yeo,</i>	Town of Niagara.	<i>Alexander McLeod,</i>	Town of Niagara.
<i>George Yeo,</i>	do.	<i>Sylvanus Marvin,</i>	City of Buffalo, U. S.
<i>Rolland McDonald,</i>	Village of St. Catharines.	<i>Robert Niven,</i>	Township of Niagara.
		<i>Ann Niven,</i>	do.

Doors locked

Mr. Speaker then desired the Sergeant at arms to lock the doors.

Attestation of Speaker read

And the doors being locked accordingly, and the Order for the day for taking said petition into consideration being read, the attestation of the Speaker was taken from off the Box in which, agreeably to the Statute, the names of all the Members of the House were sealed up, and the same was read by the Clerk, as follows :—

“ I attest that this Box was, on the *sixth* day of *July*, 1841, made up in my presence in the manner directed by an Act passed in the *fourth* year of the Reign of His late Majesty King GEORGE the *Fourth*, entitled “ *An Act to repeal an Act passed in the forty fifth year of His late Majesty’s* Reign, entitled ‘ *An Act to regulate the trial of controverted Elections or Returns of Members to serve in the House of Assembly,*’ and to make more effectual provision for such trials. ”

AUSTIN CUVILLIER,

Speaker.

Attestation of Clerk read

The Box was then opened, and the attestation of the Clerk was taken out of the Box, and read by him, as follows :—

“ I attest that I did, on *Tuesday*, the *sixth* day of *July*, 1841, in the presence of the Speaker of this House, put into a Box in which this attestation is found, the names of all the Members composing the present Legislative Assembly, written upon slips of parchment, and rolled up, as directed by an Act passed in the *fourth* year of the Reign of His late Majesty King GEORGE the *Fourth*, entitled “ *An Act to repeal an Act passed in the forty fifth year of His late Majesty’s* Reign, entitled ‘ *An Act to regulate the trial of controverted Elections or Returns of Members to serve in the House of Assembly,*’ and to make more effectual provision for such trials. ”

W. B. LINDSAY,

Clerk of Assembly.

The names of all the Members were taken out of the Box and put into three other Boxes.

Names of members drawn, from which to strike a select com for trial of Niagara contested election

The drawing of the names was then proceeded in, in the usual manner, and the following names were drawn to which no objection was taken :—

1 <i>Quesnel,</i>	9 <i>Barthe,</i>	17 <i>Gilchrist,</i>
2 <i>Woods,</i>	10 <i>Ruel,</i>	18 <i>Day, Hon. C D.</i>
3 <i>Durand,</i>	11 <i>Armstrong,</i>	19 <i>Hopkins,</i>
4 <i>Derbishi,</i>	12 <i>Donald McDonald,</i>	20 <i>Williams,</i>
5 <i>Powell,</i>	13 <i>Hinks,</i>	21 <i>Merritt,</i>
6 <i>Hale,</i>	14 <i>Jones,</i>	22 <i>Harrison, Hon. S. B</i>
7 <i>Sir Allan McNab,</i>	15 <i>Chesley,</i>	23 <i>Thompson,</i>
8 <i>Johnston,</i>	16 <i>Watts,</i>	

Names drawn and set aside

Twenty eight other names were drawn and set aside or excused, as follows :—

Fourteen against whom Petitions are pending.

Thirteen serving on Election Committees.

One being upwards of sixty years of age.

Six names were also drawn, of members who were absent.

Mr. *Small* was chosen Nominee for the Petitioners.

Mr. *Thorburn* was chosen Nominee for the sitting member.

At half past *four* o'clock, P. M., the parties, with Mr. *Thaddeus Patrick*, Clerk to the select committee, retired for the purpose of striking said Committee.

At twenty minutes to *five* o'clock, P. M., the Clerk to the Select Committee, delivered to the Clerk of the House a List containing the names of the nine members unstruck, composing the Select Committee, which is as follows:—

1 <i>Quesnel</i> ,	4 <i>Hale</i> ,	7 <i>Gilchrist</i> ,	Names of members of select committee.
2 <i>Woods</i> ,	5 <i>Donald McDonald</i> ,	8 <i>Hopkins</i> ,	
3 <i>Powell</i> ,	6 <i>Chesley</i> ,	9 <i>Williams</i> .	

Nominee for the Petitioners, Mr. *Small*,

Nominee for the Sitting Member, Mr. *Thorburn*.

THADDEUS PATRICK,

Clerk to Committee.

The said nine members and the nominees were then severally sworn at the Table by the Clerk, in the usual manner.

Committee sworn

On motion of Mr. *Small*, seconded by Mr. *Baldwin*,

Ordered—That the committee appointed to try the Petition of *Robert Melville* and *John McBride*, electors of the Town of *Niagara*, complaining of the undue election and return of *Edward Clarke Campbell*, Esquire, do meet in a committee room of this House to-morrow, at *nine* o'clock, A. M.

Committee to meet at
nine a. m. to-morrow.

The hour appointed for taking into consideration the Petition of *T. Parker*, and others, of the County of *Hastings*, in the District of *Victoria*, complaining of the undue election and return of *Robert Baldwin*, Esquire, as a member to represent the County of *Hastings* in this present Parliament, being come,

The House proceeded to the appointment of a select committee to try and determine the merits of said Petition.

House proceeds in the
appointment of a sel.
com. for trial of *Hastings*
contested elec-
tion.

The Sergeant at Arms was directed by Mr. Speaker to go with the Mace to the places adjacent and require the attendance of the members on the business of the House.

And he went accordingly,

And being returned, the House was called, and more than thirty members being present,

House called.

Mr. Speaker called upon the Petitioners, their Counsel or Agent, to appear at the Bar.

J. H. Cameron, Esquire, appeared at the Bar as Counsel for the Petitioners.

Counsel appears at
Bar.

Mr. Speaker called upon the Sitting Member, his Counsel or Agent, to appear at the Bar.

John Ross, Esquire, appeared at the Bar as Counsel for the Sitting Member.

Mr. Speaker then desired the Sergeant at Arms to lock the doors,

And the doors being locked accordingly, and the order of the day for taking the said Petition into consideration, being read, the attestation of the Speaker was taken from off the Box in which, agreeably to the Statute, the names of all the members of the House were sealed up, and the same was read by the Clerk, as follows:—

Doors locked.

“ I attest that this Box was, on the *sixth* day of *July*, 1841, made up in my presence in the manner directed by an Act passed in the *fourth*

Attestation of Speaker.

year of the Reign of His late Majesty, King GEORGE the *Fourth*, entitled "*An Act to repeal an Act passed in the forty fifth year of His late Majesty's Reign, entitled 'An Act to regulate the trial of controverted elections, or returns of members to serve in the House of Assembly; and to made more effectual provision for such trials.'*"

AUSTIN CUVILLIER,

Speaker.

The Box was then opened, and the attestation of the Clerk was taken out of the Box and read by him, as follows:—

Attestation of Clerk

"I attest that I did, on *Tuesday*, the *sixth* day of *July*, 1841, in the presence of the Speaker of the House, put into a Box, in which this attestation is found, the names of all the members composing the present Legislative Assembly, written upon slips of Parchment, and rolled up, as directed by an Act passed in the fourth year of the Reign of His late Majesty, King GEORGE the *Fourth*, entitled "*An Act to repeal an Act passed in the forty fifth year of His late Majesty's Reign, entitled 'An Act to regulate the trial of controverted elections or returns of members to serve in the House of Assembly; and to make more effectual provision for such trials.'*"

W. B. LINDSAY,

Clerk of Assembly.

The names of all the members were taken out of the Box and put into three other Boxes.

The drawing of the names was then proceeded in, in the usual manner, and the following names were drawn, to which no objection was taken:—

Names drawn, from which to strike a select committee.

1 <i>Barthe,</i>	8 <i>Merritt,</i>	14 <i>Price,</i>
2 <i>Durand,</i>	9 <i>Armstrong,</i>	15 <i>Day, Hon. C. D.</i>
3 <i>Johnston,</i>	10 <i>Derbshire,</i>	16 <i>Thompson,</i>
4 <i>Watts,</i>	11 <i>Killaly, Hon. II. II.</i>	17 <i>Ruel,</i>
5 <i>Jones.</i>	12 <i>Hinks,</i>	18 <i>Parent,</i>
6 <i>Taschereau,</i>	13 <i>Hermanus Smith,</i>	19 <i>Harrison, Hon. S. B.</i>
7 <i>McLean,</i>		

In the course of the drawing, Sir *Allan McNab's* name was taken out and set aside, being chosen Nominee for the Petitioners, and the name of Mr. *Boswell* was likewise taken out and set aside, being chosen Nominee for the sitting member.

Number drawn, insufficient to form a select committee, and House adjourns.

And there not being a sufficient number of members to complete the twenty three required by the 6th Section of the Act 4, GEORGE 4, Chapter 4,

Mr. Speaker declared the House adjourned, in conformity to the Statute in that case made and provided.

Jovis 8^o die Julii ;

Anno 5^o *Victoriæ Reginae*, 1841.

Speaker reports return from "Fire and Life Assurance Company."

Mr. Speaker laid before the House a return of the "*British America Fire and Life Assurance Company*," received in conformity to an order of the House of the *twenty second* of *June* last.

For the said Return, see Appendix (F.)

In consequence of the adjournment of yesterday, the House proceeded to the appointment of a select committee to try and determine the merits of the Petition of *T. Parker*, and others, of the County of *Hastings*, in the District of *Victoria*, complaining of the undue election and return of *Robert Baldwin*, Esquire, as a member to represent the County of *Hastings* in the present Parliament.

House again proceeds to appointment of sel. com. to try the merits of Hastings-contested election

The Sergeant at Arms was directed by Mr. Speaker to go with the Mace to the places adjacent and require the attendance of the members on the business of the House,

And he went accordingly,

And being returned, the House was called, and more than thirty members being present,

Mr. Speaker called upon the Petitioners, their Counsel or Agent, to appear at the Bar.

J. H. Cameron, Esquire, appeared at the Bar as Counsel for the Petitioners.

Mr. Speaker called upon the Sitting Member, his Counsel or Agent, to appear at the Bar.

John Ross, Esquire, appeared at the Bar as Counsel for the Sitting Member.

Mr. Speaker then desired the Sergeant-at-Arms to lock the doors.

And the doors being locked accordingly, and the order of the day for taking the said Petition into consideration being read, the attestation of the Speaker was taken from off the box, in which, agreeably to the Statute, the names of all the members of the House were sealed up, and the same was read by the Clerk, as follows :—

“ I attest that this Box was, on the *seventh* day of *July*, 1841, made up in my presence, in the manner directed by an Act passed in the *fourth* year of the reign of His late Majesty King *GEORGE* the *Fourth*, entitled, “ *An Act to repeal an Act passed in the forty-fifth year of His late Majesty’s reign*, entitled, ‘ *An Act to regulate the trial of controverted Elections or Returns of Members to serve in the House of Assembly*’ and to make more effectual provision for such trials.”

Attestation of Speaker

AUSTIN CUVILLIER,
Speaker.

The box was then opened, and the attestation of the Clerk was taken out of the box and read by him, as follows :—

“ I attest that I did, on *Wednesday*, the *seventh* day of *July*, 1841, in the presence of the Speaker of the House, put into a box in which this attestation is found, the names of all the members composing the present Legislative Assembly, written upon slips of parchment, and rolled up, as directed by an Act passed in the *fourth* year of the Reign of His late Majesty, King *GEORGE* the *Fourth*, entitled “ *An Act to repeal an Act passed in the forty-fifth year of His late Majesty’s Reign*, entitled, ‘ *An Act to regulate the trial of Controverted Elections, or Returns of Members to serve in the House of Assembly*,’ and to make more effectual provision for such trials.”

Attestation of Clerk.

W. B. LINDSAY,
Clerk of Assembly.

The names of all the members were taken out of the Box and put into three other Boxes.

The drawing of the names was then proceeded in, in the usual manner, and the following names were drawn, to which no objection was taken :—

Names drawn to which no objection was taken

1 <i>Watts,</i>	8 <i>Morin,</i>	15 <i>Barthe,</i>
2 <i>Merritt,</i>	9 <i>Durand,</i>	16 <i>Hincks,</i>
3 <i>Tuschereau,</i>	10 <i>Armstrong,</i>	17 <i>Cameron,</i>
4 <i>Desrivieres,</i>	11 <i>Killaly, Hon. H. H.</i>	18 <i>Day, Hon. C. D.</i>
5 <i>Thompson,</i>	12 <i>Johnston,</i>	19 <i>McLean,</i>
6 <i>Derbshire,</i>	13 <i>Ruel,</i>	20 <i>Parent,</i>
7 <i>Black,</i>	14 <i>Harmanus Smith,</i>	21 <i>Harrison, Hon. S. B.</i>

Sir A. McNab and Mr Boswell chosen as nominees

In the course of the drawing, Sir *Allan McNab's* name was taken out and set aside, being chosen Nominee for the Petitioners, and the name of Mr. *Boswell* was likewise taken out and set aside, being chosen Nominee for the sitting member.

Motion for call of House tomorrow

Mr. *Small* moved, seconded by Mr. *Parent*, that there be a call of the House to-morrow at ten minutes before *six* o'clock, P. M.

The question having been put upon the said motion, the House divided thereon, and the names being called for, they were taken down, as followeth:—

YEAS.

<i>Barthe.</i>	<i>Moore.</i>	<i>Raymond,</i>	<i>Tuschereau,</i>
<i>Berthelot,</i>	<i>Morin,</i>	<i>Roblin,</i>	<i>Thompson,</i>
<i>Desrivieres,</i>	<i>Neilson,</i>	<i>Ruel,</i>	<i>Thorburn,</i>
<i>Durand,</i>	<i>Parent,</i>	<i>Small,</i>	<i>Woods.—19.</i>
<i>Johnston.</i>	<i>Quesnel,</i>	<i>Taché,</i>	

NOES.

<i>Armstrong,</i>	<i>Delisle,</i>	<i>Hamilton.</i>	<i>Simpson,</i>
<i>Black.</i>	<i>Derbshire,</i>	<i>Hincks,</i>	<i>Smith, (Fron.)</i>
<i>Boswell,</i>	<i>Draper, Hon. W. H.</i>	<i>Holmes,</i>	<i>Smith, (Went.)</i>
<i>Buchanan.</i>	<i>Dunn, Hon. J. H.</i>	<i>Killaly, Hon. H. H.</i>	<i>Sherwood,</i>
<i>Burnel,</i>	<i>Dunscomb.</i>	<i>MacNab, Sir A. N.</i>	<i>Steele,</i>
<i>Cameron,</i>	<i>Duggan,</i>	<i>McDonald, (Pres.)</i>	<i>Stracher.</i>
<i>Campbell.</i>	<i>Foster,</i>	<i>McLean,</i>	<i>Viger, Hon. D. B.</i>
<i>Chesley,</i>	<i>Gilchrist,</i>	<i>Merritt,</i>	<i>Watts,</i>
<i>Christie,</i>	<i>Harrison, Hon. S. B.</i>	<i>Prince,</i>	<i>Williams,</i>
<i>Day, Hon. C. D.</i>	<i>Hale,</i>	<i>Robertson,</i>	<i>Yule.—40.</i>

The number present being insufficient to form a set con the House was adjourned

So it passed in the negative.

And there not being a sufficient number of members to complete the *twenty three* required by the 6th Section of the Act 4th GEO. 4, cap. 4.

Mr. Speaker declared the House adjourned, in conformity to the Statute in that case made and provided.

Veneris 9^o die Julii;

Anno 5^o *Victoriæ Regiæ.* 1841.

Statement of Bank of U. C. presented

Mr. Speaker laid before the House a general statement of the affairs of the Bank of *Upper Canada*, received in conformity to an order of this House of the *twenty fifth* of *June* last.

For the said Statement, see Appendix (C.)

Recognizance entered into in York county election contest

Mr. Speaker acquainted the House, that the Petitioners complaining of the undue election and return of *George Duggan*, Esquire, for the second Riding of the County of *York*, had entered into the usual recog-

nizance required by law, on the subject matter of the said contested election.

Mr. *Christie*, Chairman of the Committee, to which was referred the contested election of the member returned for the County of *Huron*, (Mr. *Strachan*,) informed the House, that the member for the County of *Leeds*, (Mr. *Morris*,) had absented himself, owing to illness, from the committee, and would probably, on that account, be absent a few days therefrom.

One member reported absent from com. on Huron contested election

The Honorable *S. B. Harrison*, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency, the Governor General, statements of the Public Accounts of the late Province of *Upper Canada*, for the years 1839 and 1840.

Public accounts for 1839 and 1840, laid before the House

For the said statements, see Appendix (B.)

A message from the Legislative Council by *John Godfrey Spragge*, Esquire, Master in Chancery.

MR. SPEAKER :

The Legislative Council have passed the Bill entitled "*An Act to amend an Act of that part of the Province formerly called Upper Canada, entitled 'An Act to provide for the making and keeping in repair the West Gwillimbury Road and Bridge, and to authorize the erection of a Toll Gate thereon,'*" without any amendment.

Gwillimbury Road and Bridge bill passed Leg Council

And then he withdrew.

In consequence of the adjournment of yesterday, the House again proceeded to the appointment of a Select Committee to try and determine the merits of the Petition of *T. Parker*, and others, of the County of *Hastings* in the District of *Victoria*, complaining of the undue election and return of *Robert Baldwin*, Esquire, as a member to represent the County of *Hastings* in the present Parliament.

House again proceeds to ballot for a committee to try the merits of the contested election for Hastings

The Sergeant at Arms was directed by Mr. Speaker to go with the Mace to the places adjacent and require the attendance of the members on the business of the House,

And he went accordingly,

And being returned, the House was called, and more than thirty members being present,

Mr. Speaker called upon the Petitioners, their Counsel or Agent, to appear at the Bar.

J. H. Cameron, Esquire, appeared at the Bar, as Counsel for the Petitioners.

Mr. Speaker called upon the Sitting Member, his Counsel or Agent, to appear at the Bar.

John Ross, Esquire, appeared at the Bar, as Counsel for the Sitting Member.

Mr. Speaker then desired the Sergeant at Arms to lock the doors,

And the doors being locked accordingly, and the order of the day for taking the said Petition into consideration being read, the attestation of the Speaker was taken from off the Box in which, agreeably to the Statute, the names of all the members of the House were sealed up, and the same was read by the Clerk, as follows:—

"I attest that this Box was, on the *eighth* day of *July*, 1841, made up in my presence, in the manner directed by an Act passed in the *fourth* year of the Reign of His late Majesty King GEORGE the Fourth, entitled "*An Act to repeal an Act passed in the forty fifth year of His late Majesty's* "*Reign, entitled 'An Act to regulate the trial of Controverted Elections or*

Attestation of speaker

“ *Returns of Members to serve in the House of Assembly, and to make more effectual provision for such trials.*”

AUSTIN CUVILLIER,
Speaker.

The Box was then opened, and the attestation of the Clerk was taken out of the Box, and read by him, as follows:—

Attestation of Clerk.

“ I attest that I did, on *Thursday*, the *eighth* day of *July*, 1841, in the presence of the Speaker of this House, put into a Box, in which this attestation is found, the names of all the members composing the present Legislative Assembly, written upon slips of parchment and rolled up, as directed by an Act passed in the fourth year of the Reign of His late Majesty King GEORGE the *Fourth*, intituled “ *An Act to repeal an Act passed in the forty fifth year of His late Majesty’s Reign, entitled ‘ An Act to regulate the trial of Controverted Elections or Returns of Members to serve in the House of Assembly;’ and to make more effectual provision for such trials.*”

W. B. LINDSAY,
Clerk of Assembly.

The names of all the members were taken out of the Box and put into three other Boxes.

The drawing of the names was then proceeded in, in the usual manner, and the following names were drawn, to which no objection was taken:—

Name drawn for a select committee

1 <i>Johnston,</i>	7 <i>Taschereau,</i>	13 <i>Black,</i>
2 <i>Hincks,</i>	8 <i>Ruel,</i>	14 <i>Merritt,</i>
3 <i>Cameron,</i>	9 <i>Thompson,</i>	15 <i>Parent,</i>
4 <i>Desrivières,</i>	10 <i>Harmunus Smith,</i>	16 <i>Watts,</i>
5 <i>McLean,</i>	11 <i>Killaly, Hon. H. H.</i>	17 <i>Morin,</i>
6 <i>Barthe,</i>	12 <i>Armstrong,</i>	18 <i>Durand,</i>

On Mr. *Holmes’* name being called,

Mr. *Aylwin* moved, seconded by Mr. *Cartwright*,

That *Benjamin Holmes*, Esquire, one of the members of this House, and a member of the committee appointed to try and determine the Petition of *William Dunlop*, of *Gairbruid*, in the County of *Huron*, Esquire, complaining of the undue election and Return of *James McGill Strachan*, Esquire, as a member to represent the County of *Huron* in this present Parliament, is incompetent to serve upon the committee now being struck, until the said committee, upon the *Huron* election, shall have finally reported.

A member incompetent to serve upon two committees at same time

The question having been put upon the said motion, the House divided thereon, and the names being called for, they were taken down, as followeth:—

YEAS.

<i>Aylwin,</i>	<i>Dunn, Hon. J.H.</i>	<i>Morin,</i>	<i>Sherwood,</i>
<i>Barthe,</i>	<i>Foster,</i>	<i>Noel,</i>	<i>Strachan,</i>
<i>Berthelot,</i>	<i>Harrison, Hon. S.B.</i>	<i>Parent,</i>	<i>Taché,</i>
<i>Boutillier,</i>	<i>Hamilton,</i>	<i>Prince,</i>	<i>Taschereau,</i>
<i>Campbell,</i>	<i>Johnston,</i>	<i>Quesnel,</i>	<i>Turcotte,</i>
<i>Cartwright,</i>	<i>Killaly, Hon. H.H.</i>	<i>Robertson,</i>	<i>Woods,</i>
<i>Daly, Hon. D.</i>	<i>McDonald, (Pres.)</i>	<i>Ruel,</i>	<i>Watts,</i>
<i>Desrivières,</i>	<i>Moore.</i>	<i>Smith, (Front.)</i>	<i>Yule.—33.</i>
<i>Draper, Hon. W. H.</i>			

NOES.

<i>Armstrong,</i>	<i>Christie,</i>	<i>Holmes,</i>	<i>Small,</i>
<i>Black,</i>	<i>Delisle,</i>	<i>MacNab, Sir A. N.</i>	<i>Smith, (Went.)</i>
<i>Boswell,</i>	<i>Dunscomb,</i>	<i>McLean,</i>	<i>Steele,</i>
<i>Buchanan,</i>	<i>Durand,</i>	<i>Merritt,</i>	<i>Thompson,</i>
<i>Burnet,</i>	<i>Gilchrist,</i>	<i>Powell,</i>	<i>Thorburn,</i>
<i>Cameron,</i>	<i>Hale,</i>	<i>Raymond,</i>	<i>Viger. Hon. D. B.</i>
<i>Chesley,</i>	<i>Hincks,</i>	<i>Roblin,</i>	<i>Williams.—29.</i>
<i>Child,</i>			

So it was carried in the affirmative, and—
Resolved accordingly.

In the course of the drawing, Sir *Allan McNab's* name was taken out and set aside, being chosen Nominee for the Petitioners, and the name of Mr. *Boswell* was likewise taken out and set aside, being chosen Nominee for the Sitting Member.

Sir A. McNab, and Mr. Boswell, chosen as nominees.

Mr. *Hincks* moved, seconded by Mr. *Small*,

That the names of the members of this House, now in Kingston, be called over on *to-morrow, Saturday*, at two o'clock, P. M.

Names of Members in Kingston to be called over to-morrow.

The question being put upon the said motion, the House divided thereon, and the names being called for, they were taken down, as followeth:—

YEAS.

<i>Armstrong,</i>	<i>Durand,</i>	<i>Morin,</i>	<i>Smith, (Fron.)</i>
<i>Berthelot,</i>	<i>Foster,</i>	<i>Neilson,</i>	<i>Smith, (Went.)</i>
<i>Boutillier,</i>	<i>Gilchrist,</i>	<i>Noel,</i>	<i>Steele,</i>
<i>Burnet,</i>	<i>Hale,</i>	<i>Ogden, Hon. C. R.</i>	<i>Taché,</i>
<i>Campbell,</i>	<i>Hincks,</i>	<i>Parent,</i>	<i>Taschereau,</i>
<i>Child,</i>	<i>Holmes,</i>	<i>Powell,</i>	<i>Thompson,</i>
<i>Daly, Hon. D.</i>	<i>Johnston,</i>	<i>Quesnel,</i>	<i>Thorburn,</i>
<i>Delisle,</i>	<i>Killaly, Hon. H. H.</i>	<i>Raymond,</i>	<i>Woods,</i>
<i>Desrivieres,</i>	<i>McNab, Sir A. N.</i>	<i>Roblin,</i>	<i>Williams,</i>
<i>Dunn, Hon. J. H.</i>	<i>McDonald, (Pres.)</i>	<i>Ruel,</i>	<i>Yule.—43.</i>
<i>Duggan,</i>	<i>Merritt,</i>	<i>Small,</i>	

NOES.

<i>Barthe,</i>	<i>Christie,</i>	<i>McLean,</i>	<i>Turcotte,</i>
<i>Boswell,</i>	<i>Derbshire,</i>	<i>Moore,</i>	<i>Viger, Hon. D. B.</i>
<i>Buchanan,</i>	<i>De Salaberry,</i>	<i>Prince,</i>	<i>Watts.—15.</i>
<i>Cartwright,</i>	<i>Hamilton,</i>	<i>Sherwood,</i>	

So it was carried in the affirmative, and—
Resolved accordingly.

Mr. *Hincks* moved, seconded by Mr. *Small*,

That such of the said Members as shall not be then present be taken into the custody of the Sergeant at Arms attending this House, or his Deputy.

Such members as shall be in Kingston and not present at the call of the House to-morrow, to be taken into custody by Sergeant-at-Arms.

The question having been put upon the said motion, the House divided thereon, and the names being called for, they were taken down as followeth:—

YEAS.

<i>Armstrong,</i>	<i>Boutillier,</i>	<i>Campbell,</i>	<i>Daly, Hon. D.</i>
<i>Berthelot,</i>	<i>Burnet,</i>	<i>Child,</i>	<i>Delisle,</i>

<i>De Salaberry,</i>	<i>Holmes,</i>	<i>Parent,</i>	<i>Steele,</i>
<i>Desrivieres,</i>	<i>Johnston,</i>	<i>Powell,</i>	<i>Taché,</i>
<i>Dunn, Hon. J. F.</i>	<i>Killaly, Hon. H. H.</i>	<i>Quesnel,</i>	<i>Taschereau,</i>
<i>Dunscomb,</i>	<i>McDonald, (Pres.)</i>	<i>Raymond,</i>	<i>Thompson,</i>
<i>Duggan,</i>	<i>Merritt,</i>	<i>Robertson,</i>	<i>Thorburn,</i>
<i>Durand,</i>	<i>Morin,</i>	<i>Roblin,</i>	<i>Turcotte,</i>
<i>Foster,</i>	<i>Neilson,</i>	<i>Ruel,</i>	<i>Woods,</i>
<i>Gilchrist,</i>	<i>Noel,</i>	<i>Small,</i>	<i>Williams,</i>
<i>Hale,</i>	<i>Ogden, Hon. C. R.</i>	<i>Smith, (Wint.)</i>	<i>Yule.—45.</i>
<i>Hincks,</i>			

NOES.

<i>Aylwin,</i>	<i>Cartwright,</i>	<i>Harrison, Hon. S. B.</i>	<i>Moore,</i>
<i>Barthe,</i>	<i>Christie,</i>	<i>Hamilton,</i>	<i>Prince,</i>
<i>Boswell,</i>	<i>Derbshire,</i>	<i>McNab, Sir A. N.</i>	<i>Viger, Hon. D. B.</i>
<i>Buchanan,</i>	<i>Draper, Hon. W. H.</i>	<i>McLean,</i>	<i>Watts.—16.</i>

So it was carried in the affirmative, and—
Ordered, accordingly.

Members present being insufficient to form an election committee, the House is adjourned

And there not being a sufficient number of members to complete the twenty three required by the 6th Section of the Act 4th, GEORGE IV., Chapter IV,

Mr. Speaker declared the House adjourned, in conformity to the statute in that case made and provided.

Sabbati, 10^o die Julii;

Anno 5^o Victoriae Reginae, 1841.

Statement of affairs of Bank of Montreal laid before the House.

Mr. Speaker laid before the House a Statement of the affairs of the Bank of *Montreal*, received in conformity to an order of the House, of the 25th of *June* last.

For the said Statement, see appendix (C.)

House called

Pursuant to the order of the day, at 2 o'clock, P. M., the House was called.

MEMBERS ABSENT.

Members Absent.

Mr. *Borne*, (not yet taken his seat,)
Mr. *Buchanan*,
Mr. *Cook*, (with leave,)
Mr. *Hopkins*, (sick,)
Mr. *Kimber*, (with leave.)
Mr. *McCulloch*,
Mr. *J. S. MacDonald*, (sick,)
Hon. G. *Moffatt*, (with leave,)
Mr. *Morris*, (sick,)
Mr. *Price*, (sickness in his family,)
Mr. *Strachan*.

House again proceeds to the appointment of sel. com. to try the merits of Hastings contested election.

In consequence of the adjournment of yesterday, the House again proceeded to the appointment of a Select Committee to try and determine the merits of the Petition of *T. Parker*, and others, of the County of *Hastings*, in the District of *Victoria*, complaining of the undue election

and return of *Robert Baldwin*, Esquire, as a member to represent the County of *Hastings*, in the present Parliament.

The Sergeant at arms was directed, by Mr. Speaker, to go with the Mace to the places adjacent and require the attendance of the members on the business of the House ;

And he went accordingly,

And, being returned, the House was called, and more than thirty members being present,

Mr. Speaker called upon the Petitioners, their Counsel or Agent, to appear at the Bar.

J. H. Cameron, Esquire, appeared at the Bar, as Counsel for the Petitioners.

Mr. Speaker called upon the Sitting Member, his Counsel, or Agent to appear at the Bar.

John Ross, Esquire, appeared at the Bar, as Counsel for the Sitting Member.

Mr. Speaker then desired the Sergeant at Arms to lock the doors.

And the doors being locked, accordingly, and the order of the day for taking the said Petition into consideration, being read, the attestation of the Speaker was taken from off the Box, in which, agreeably to the Statute, the names of all the members of the House were sealed up, and the same was read, by the Clerk, as follows :—

“ I attest that this Box was, on the 9th day of *July*, 1841, made up in my presence, in the manner directed by an Act passed in the 4th year of the Reign of His late Majesty King *GEORGE* the *Fourth*, entitled “ *An Act to repeal an Act passed in the forty fifth year of His late Majesty’s Reign*, entitled ‘ *An Act to regulate the trial of Controverted Elections, or returns of Members to serve in the House of Assembly,*’ and to make more effectual provision for such trials.”

Attestation of Speaker.

AUSTIN CUVILLIER,

Speaker.

The Box was then opened, and the attestation of the Clerk was taken out of the Box and read by him as follows :—

“ I attest that I did, on *Friday* the 9th day of *July*, 1841, in presence of the Speaker of this House, put into a Box, in which this attestation is found, the names of all the Members composing the present Legislative Assembly, written upon slips of parchment, and rolled up, as directed by an Act passed in the 4th year of the Reign of His late Majesty, King *GEORGE* the *Fourth*, entitled “ *An Act to repeal an Act passed in the forty fifth year of His late Majesty’s Reign*, entitled ‘ *An Act to regulate the trial of Controverted Elections, or returns of Members to serve in the House of Assembly,*’ and to make more effectual provision for such trials.”

Attestation of Clerk.

W. B. LINDSAY,

Clerk of Assembly.

The names of all the members were taken out of the Box and put into three other Boxes.

Mr. *Black* moved, seconded by Mr. *Boswell*,

That the resolution of this House, of yesterday, declaring that a member already serving upon a committee on a contested election is incompetent to serve upon a second until the previous committee shall have finally reported, be rescinded.

Motion for rescinding resolution of yesterday on competency of certain members serving on Election Com.

Mr. *Aylwin*, seconded by Mr. *Prince*, moved the previous question, viz :—

Previous Ques. moved.

Shall the main question be now put ?

The House divided on the question, and the names being called for, they were taken down as followeth:—

YEAS.

<i>Armstrong,</i>	<i>Crane,</i>	<i>Hale,</i>	<i>Roblin,</i>
<i>Black,</i>	<i>Delisle,</i>	<i>Hincks,</i>	<i>Simpson,</i>
<i>Boswell,</i>	<i>Derbshire,</i>	<i>Holmes,</i>	<i>Smith, (Went.)</i>
<i>Burnet,</i>	<i>De Salaberry,</i>	<i>Jones,</i>	<i>Steele,</i>
<i>Cameron,</i>	<i>Dunscomb,</i>	<i>McNab, Sir A.N.</i>	<i>Thompson,</i>
<i>Chesley,</i>	<i>Duggan,</i>	<i>McLean,</i>	<i>Thorburn,</i>
<i>Child,</i>	<i>Durand,</i>	<i>Merritt,</i>	<i>Williams,</i>
<i>Christie,</i>	<i>Gilchrist,</i>	<i>Powell,</i>	<i>Yule.—32.</i>

NOES.

<i>Aylwin,</i>	<i>Dunn, Hon. J. H.</i>	<i>Neilson,</i>	<i>Smith, (Fron.)</i>
<i>Barthe,</i>	<i>Foster,</i>	<i>Noel,</i>	<i>Sherwood,</i>
<i>Berthelot,</i>	<i>Harrison, Hon. S.B.</i>	<i>Ogden, Hon. C.R.</i>	<i>Taché,</i>
<i>Boutillier,</i>	<i>Hamilton,</i>	<i>Parent,</i>	<i>Taschereau,</i>
<i>Campbell,</i>	<i>Johnston,</i>	<i>Prince,</i>	<i>Turcotte,</i>
<i>Daly, Hon. D.</i>	<i>Killaly, Hon. H.H.</i>	<i>Quesnel,</i>	<i>Viger, Hon. D.B.</i>
<i>Day, Hon. C.D.</i>	<i>McDonald, (Pres.)</i>	<i>Raymond,</i>	<i>Watts,</i>
<i>Desrivieres,</i>	<i>Moore,</i>	<i>Robertson,</i>	<i>Woods.—35.</i>
<i>Draper, Hon. W.H.</i>	<i>Morin,</i>	<i>Ruel,</i>	

So it passed in the negative.

Drawing of the names proceeded in

The drawing of the names was then proceeded in, in the usual manner, and the following names were drawn, to which no objection was taken:—

Names drawn from which to strike a sel. Committee

1 <i>Parent,</i>	9 <i>Killaly, Hon. H. H.</i>	16 <i>Watts,</i>
2 <i>Desrivieres,</i>	10 <i>Derbshire,</i>	17 <i>McLean,</i>
3 <i>Black,</i>	11 <i>Jones,</i>	18 <i>Thompson.</i>
4 <i>Johnston,</i>	12 <i>Morin,</i>	19 <i>Ogden, Hon. C. R.</i>
5 <i>Taschereau,</i>	13 <i>Ruel,</i>	20 <i>Harmanus Smith,</i>
6 <i>Hincks,</i>	14 <i>Armstrong.</i>	21 <i>Merritt,</i>
7 <i>Durand,</i>	15 <i>Cameron,</i>	22 <i>Barthe.</i>
8 <i>Day, Hon. C. D.</i>		

Sir A. McNab and Mr Boswell set aside as nominees

In the course of the drawing Sir *Allan McNab's* name was taken out and set aside, being chosen nominee for the Petitioner, and the name of Mr. *Boswell* was likewise taken out and set aside, being chosen nominee for the Sitting Member.

Names of Members now in Kingston to be called over on Monday, and if not present to be taken into custody by the Sergt at Arms.

Mr. *Hincks* moved, seconded by Mr. *Derbshire,*

That the names of the members of this House, now in Kingston, be called over, on *Monday* next, the 12th instant, at 2 o'clock, P.M.

The question having been put upon the said motion, a division ensued, and it was carried in the affirmative, and—

Resolved accordingly.

Mr. *Hincks* moved, seconded by Mr. *Derbshire,*

That such of the said members as shall not be then present be taken into the custody of the Sergeant at Arms attending this House, or his Deputy.

The question having been put upon the said motion, the House divided thereon, and the names being called for, they were taken down, as followeth:—

YEAS.

<i>Berthelot,</i>	<i>Draper, Hon. W.H. Hale,</i>	<i>Powell,</i>
<i>Boutillier,</i>	<i>Dunscumb,</i>	<i>Prince,</i>
<i>Cameron,</i>	<i>Duggan,</i>	<i>Quesnel,</i>
<i>Campbell,</i>	<i>Durand,</i>	<i>Smith, (Went.)</i>
<i>Day, Hon. C. D.</i>	<i>Foster,</i>	<i>Thompson,</i>
<i>Delisle,</i>	<i>Gilchrist,</i>	<i>Thorburn,</i>
<i>Derbshire,</i>	<i>Harrison, Hon S.B. Ogden, Hon. C.R.</i>	<i>Yule.—28.</i>

NOES.

<i>Black,</i>	<i>Hamilton,</i>	<i>McLean,</i>	<i>Turcotte,</i>
<i>Burnet,</i>	<i>MacNab, Sir A.N. Raymond,</i>	<i>Sherwood,</i>	<i>Viger, Hon. D.B.</i>
<i>Chesley,</i>	<i>McDonald, (Pres.)</i>		<i>Williams.—13.</i>
<i>Christie,</i>			

So it was carried in the affirmative, and—
Ordered, accordingly.

Mr. *Hincks* moved, seconded by Mr. *Derbshire*,
That the names of the members of this House be called over on
Wednesday next, the 14th instant, at 2 o'clock, P.M.

The question having been put upon the said motion, a division ensued,
and it was carried in the affirmative, and—

Resolved, accordingly.

Mr. *Hincks* moved, seconded by Mr. *Derbshire*,

That such of the said members as shall not be then present, be taken
into the custody of the Sergeant at Arms attending this House, or his De-
puty.

The question having been put upon the said motion, a division ensu-
ed, and it was carried in the affirmative, and—

Ordered, accordingly.

And there not being a sufficient number of members to complete the
twenty three required by the 6th Section of the Act 4, GEORGE IV,
Chapter IV.

Mr. Speaker declared the House adjourned, in conformity to the
Statute in that case made and provided.

Names of members to
be called over on
Wednesday next, and
if not present to be
taken into the custody
of the Serg at Arms.

Number of members
present being in suf-
ficient for the forming
an election committee
the House adjourns.

Lunæ, 12^o die Julii ;

Anno 5^o Victoriae Reginae, 1841.

Mr. Speaker acquainted the House that *Eduard Noble* and *William
Ferguson* had entered into the usual recognizance required by Law, on
the subject matter of the contested election for the County of *Frontenac*.

Recognizance entered
into on Frontenac con-
tested election.

Pursuant to the Order of the day, at 2 o'clock, P. M. the House was
called.

House called.

MEMBERS ABSENT.

Mr. *Borne*, (not yet taken his seat)
Mr. *Buchanan*,
Mr. *Cooke*, (with leave)
Mr. *Hamilton*,
Mr. *Hopkins*, (sick)

Absent Members.

Members absent.

Mr. *Kimber*, (with leave)
 Mr. *McCulloch*,
 Mr. *Morris*, (sick)
 Mr. *Price*, (sickness in his family)
 Mr. *Steele*, (sick)
 Mr. *Turcotte*,

House again proceeds to the appointment of sel. committee to try the merits of the Hastings contested election.

In consequence of the adjournment of *Saturday* last, the House again proceeded to the appointment of a select Committee to try and determine the merits of the Petition of *T. Parker*, and others, of the county of *Hastings*, in the District of *Victoria*, complaining of the undue election and return of *Robert Baldwin*, Esquire, as a member to represent the county of *Hastings*, in the present Parliament.

The Sergeant at Arms was directed, by Mr. Speaker, to go with the mace to the places adjacent and require the attendance of the members on the business of the House.

And he went accordingly.

And, being returned, the House was called, and more than thirty members being present,

Mr. Speaker called upon the Petitioners, their counsel or agent, to appear at the bar.

J. H. Cameron, Esquire, appeared at the bar as counsel for the Petitioners.

Mr. Speaker called upon the sitting member, his counsel or agent, to appear at the bar.

John Ross, Esquire, appeared at the bar, as counsel for the sitting member.

Mr. Speaker then desired the sergeant at Arms to lock the door, and the doors being locked accordingly, and the Order of the day for taking the said Petition into consideration being read, the attestation of the Speaker was taken from off the box in which, agreeably to the statute, the names of all the members of the House were sealed up, and the same was read by the Clerk as follows :

Attestation of Speaker.

“ I attest that this Box was, on the 10th day of *July*, 1841, made up in my presence in the manner directed by an Act passed in the *fourth* year of the Reign of His late Majesty, King *GEORGE* the *Fourth*, entitled “ *An Act to repeal an Act passed in the forty fifth year of His late Majesty's Reign*, entitled ‘ *An Act to regulate the trial of controverted elections, or returns of members to serve in the House of Assembly,*’ and to make more effectual provision for such trials.”

AUSTIN CUVILLIER,

Speaker.

The Box was then opened, and the attestation of the Clerk was taken out of the Box and read by him, as follows:—

Attestation of Clerk.

“ I attest that I did, on *Saturday*, the 10th day of *July*, 1841, in presence of the Speaker of the House, put into a Box, in which this attestation is found, the names of all the members composing the present Legislative Assembly, written upon slips of Parchment, and rolled up, as directed by an Act passed in the fourth year of the Reign of His late Majesty, King *GEORGE* the *Fourth*, entitled “ *An Act to repeal an Act passed in the forty fifth year of His late Majesty's Reign*, entitled ‘ *An Act to regulate the trial of controverted elections or returns of members to serve in the House of Assembly,*’ and to make more effectual provision for such trials.”

W. B. LINDSAY,

Clerk of Assembly.

The names of all the members were taken out of the Box and put into three other Boxes.

The drawing of the names was then proceeded in, in the usual manner, and the following names were drawn, to which no objection was taken :—

1 Ruel,	9 Watts,	17 Barthe,
2 Ogden, Hon. C. R.	10 McLean,	18 Killaly, Hon. H. H.
3 Parent,	11 Desrivieres,	19 Taschereau,
4 Day, Hon. C. D.	12 Thompson,	20 Hincks,
5 Black,	13 Merritt,	21 Cameron,
6 J. S. Macdonald,	14 Armstrong,	22 Morin,
7 Johnston,	15 Harmanus Smith,	23 Derbishire.
8 Jones,	16 Moffatt, Hon. Geo.	

Names drawn from which to form sel. com. for trial of Hastings contested election.

Forty seven other names were drawn and set aside or excused, as follows :—

Sixteen against whom Petitions are now pending.

Thirty serving on Election Committees.

One being upwards of sixty years of age.

Five names were also drawn of members who were absent.

Sir Allan MacNab was chosen nominee for the Petitioners.

Mr. Boswell was chosen nominee for the sitting member.

At 20 minutes to 3 o'clock, p. m., Mr. Charles Fitzgibbon, Clerk to the select committee, retired with the parties, for the purpose of striking said committee.

At 5 minutes to 3 o'clock, p. m., the clerk to the select committee delivered to the clerk of the House a list containing the names of nine members, unstruck, composing the select committee, which is as follows :

Clerk of Committee delivers list of sel. com:

Names of the members remaining on the list to try the merits of the Petition of T. Parker, and others, of the county of Hastings, in the district of Victoria, complaining of the undue election and return of Robert Baldwin, Esq., as a member to represent the county of Hastings, in the present Parliament.

1 Ruel,	4 Watts,	7 Hon. H. H. Killaly,
2 Parent,	5 Thompson,	8 Cameron,
3 Jones,	6 Merritt,	9 Derbishire.

Members composing sel. com. for trying the merits of Hastings contested election.

Nominee for the Petitioners, Sir Allan MacNab.

Nominee for the sitting member, Mr. Boswell.

CHARLES FITZGIBBON,

Clerk to Committee.

The said nine members and the nominees were then severally sworn at the table, by the clerk, in the usual manner.

Committee sworn.

Sir Allan MacNab, nominee for the Petitioners, presented a list of witnesses in the case of the petition of T. Parker, and others, of the county of Hastings, in the district of Victoria, which was read by the clerk as follows :—

List of witnesses on behalf of petitioners handed in and read by the Clerk.

NAMES.	RESIDENCE.	DISTRICTS
Clerk of the Crown in } Chancery,	To produce the Poll Book of the Hastings Election, and Indenture,	
Surveyor General,	} of Return for the 4th Riding of York.	
Donald Cameron,	Belville,	Hastings.
Joseph P. Huyett,	Thurlow,	do.
John M. Coy,	Huntingdon,	do.
John P. Morden,	Belville,	do.
Wm. Robinson,	Trent Port,	Newcastle District.

	NAMES.	RESIDENCE.	DISTRICTS.
List of Witnesses in behalf of petitioners.	<i>John Wiere,</i>	Belville,	Hastings.
	<i>Joseph Marlow,</i>	do.	do.
	<i>Chauncey Wollcott,</i>	do.	do.
	<i>Berry Willard,</i>	do.	do.
	<i>John Addison,</i>	do.	do.
	<i>Henry Corby,</i>	do.	do.
	<i>James Whiteford.</i>	do.	do.
	<i>Henry Coyle,</i>	Hungerford,	do.
	<i>William Downey,</i>	do.	do.
	<i>Felix Gabourie,</i>	do.	do.
	<i>Wm. Martin,</i>	Thurlow,	do.
	<i>Thomas Martin.</i>	do.	do.
	<i>John Dougle,</i>	do.	do.
	<i>Dennis Kelly,</i>	Town of Kingston,	Midland District.
	<i>Patt Flemming,</i>	do.	do.
	<i>Alex. H. Dobbs,</i>	do.	do.
	<i>John Turnbull,</i>	Belville,	Hastings.
	<i>John Ross, Barrister,</i>	do.	do.
	<i>Nelson G. Reynolds,</i>	do.	do.
	<i>John Hanley,</i>	do.	do.
	<i>James Maddigan,</i>	Kingston,	Midland District.
	<i>Daniel Ostrom,</i>	Sydney,	Hastings.
	<i>Sim. Ostrom</i>	do.	do.
	<i>Ira Sergeant,</i>	do.	do.
	<i>Ed. Gibbs,</i>	do.	do.
	<i>IPy. Hagerman,</i>	do.	do.
	<i>Charles Bonnistal,</i>	do.	do.
	<i>Widow Waterman,</i>	Township of Kingston,	Midland District.
	<i>John Coon,</i>	Sydney,	Hastings.
	<i>Henry Grass,</i>	do.	do.
	<i>James McDonnell,</i>	Belville,	do.
	<i>Zenas Dafeo,</i>	do.	do.
	<i>William Ketchison, jr.,</i>	Sidney,	do.
	<i>Adam H. Meyers,</i>	Trent Port,	Newcastle District.
	<i>James Gilbert,</i>	Sidney,	Hastings.
	<i>Jacob W. Meyers, Jun.,</i>	do.	do.
	<i>R. C. A. McLean.</i>	Belville,	do.
	<i>Ed. Fidler,</i>	Rawdon,	do.
	<i>R. Parker,</i>	do.	do.
	<i>Wm. Emmerson,</i>	Hungerford,	do.
	<i>John Macaulay,</i>	do.	do.
	<i>Wm. Bowen,</i>	Frankford,	do.
<i>Henry Smith,</i>	Belleville,	do.	
<i>Joshua Garrison,</i>	Sidney,	do.	
<i>Peter Davison,</i>	do.	do.	
<i>James Sharp,</i>	do.	do.	
<i>John Scott,</i>	Frankford,	do.	
<i>Jacob W. Meyers, Sen.,</i>	Bellville,	do.	
<i>Miss Irvine, daughter of</i>	} 5th Con. Sidney.	do.	
<i>late Wm. Irvine,</i>			
<i>H. N. Griffin,</i>	Madoc,	do.	
<i>Elijah Sarles,</i>	do.	do.	
<i>Donald M'Kenzie,</i>	Bellville,	do.	
<i>Wm. Fox,</i>	Madoc,	do.	
<i>Barney Collins,</i>	Bellville.	do.	
<i>Henry Collins,</i>	do.	do.	
<i>Richard Trugent,</i>	Thurlow,	do.	
<i>John M' Coy,</i>	Huntingdon,	do.	
<i>David Zerou,</i>	Madoc,	do.	
<i>Simon M'Kenzie,</i>	do.	do.	
<i>Mathias Ross,</i>	Thurlow,	do.	
<i>Augustus Lemerand,</i>	Huntingdon,	do.	
<i>Philip Lake,</i>	do.	do.	
<i>John Ketcheson,</i>	Sidney,	do.	
<i>David Ketcheson,</i>	do.	do.	
<i>John Squires,</i>	Huntingdon.	do.	
<i>James Frazer,</i>	Napanee,	Midland District.	
<i>Samuel Reid,</i>	Thurlow.	Hastings.	
<i>John Carter,</i>	do.	do.	

NAMES.	RESIDENCE.	DISTRICTS.	List of Witnesses in behalf of petitioners.
<i>Salyea Read,</i>	Thurlow,	Hastings.	
<i>John Thompson,</i>	Bellville,	do.	
<i>John Carter,</i>	Thurlow,	do.	
<i>Hugh Crawford,</i>	Marmora,	do.	
<i>James Jones,</i>	do.	do.	
<i>John Fair,</i>	Rawdon,	do.	
<i>Thomas Wright,</i>	do.	do.	
<i>Robert Talbot,</i>	Kingston,	Midland District.	
<i>Wm. Spence,</i>	Rawdon,	Hastings.	
<i>H. P. Watkins,</i>	do.	do.	
<i>Thomas Kirkpatrick,</i>	Kingston,	Midland District.	
<i>R. Lezier,</i>	Tyendinaga,	Hastings.	
<i>A. Campbell,</i>	Napanee,	do.	
<i>John Smith,</i>	Bellville,	do.	
<i>Wheatley Church,</i>	do.	do.	
<i>G. Benjamin,</i>	do.	do.	
<i>D. Canniff,</i>	Thurlow,	do.	
<i>Alexander Macdonald,</i>	do.	do.	
<i>Frazer Liddle,</i>	do.	do.	
<i>Wm. Ashley,</i>	do.	do.	
<i>R. J. Hopkins,</i>	Picton,	Prince Edward District.	
<i>Harvey Fowler,</i>	Thurlow,	Hastings.	
<i>George Bleeker,</i>	do.	do.	
<i>Oliver Mott,</i>	do.	do.	
<i>John Thomson,</i>	do.	do.	
<i>John Canniff,</i>	do.	do.	
<i>John Bowerman,</i>	do.	do.	
<i>John Spafford,</i>	do.	do.	
<i>Owen Ketcheson,</i>	Madoc,	do.	
<i>Henry Alkenbrack,</i>	Thurlow,	do.	
<i>John Emmerson,</i>	do.	do.	
<i>Stephen Gilbert,</i>	Sidney,	do.	
<i>Miss Hamilton,</i>	Huntingdon,	do.	
<i>John Lawrence,</i>	Sidney,	do.	
<i>Philip Nott,</i>	Thurlow,	do.	
<i>Jacob Sills,</i>	do.	do.	
<i>John Reynolds,</i>	do.	do.	
<i>Nathan Jones,</i>	do.	do.	
<i>James C. Morden,</i>	Tyendinaga,	do.	
<i>—— Bcoth,</i>			
<i>Peter Davy,</i>	Bath,	Midland District.	
<i>Joseph M. Caw,</i>	Picton,	Prince Edward District.	
<i>Benjamin Dougall,</i>	Bellville,	Hastings.	
<i>Francis M. Anny,</i>	do.	do.	
<i>Noble Barry,</i>	Sidney,	do.	
<i>Josiah Packham,</i>	Thurlow,	do.	
<i>Thomas Vanalstine,</i>	Sidney,	do.	
<i>Stephen W. Randell,</i>	Tyendinaga,	do.	
<i>Thomas Kirkpatrick,</i>	Kingston,	Midland District.	
<i>John S. Cartwright,</i>	do.	do.	
<i>Thomas Robinson,</i>	do.	do.	
<i>John W. Longwell,</i>	Sidney,	Hastings.	
<i>Samuel Ross,</i>	Thurlow,	do.	
<i>Wm. Sills,</i>	do.	do.	
<i>Michael Dajoe,</i>	Sidney,	do.	
<i>Stephen Munn,</i>	do.	do.	
<i>Cornelius Kelly,</i>	do.	do.	
<i>Gilbert P. Sharp,</i>	do.	do.	
<i>Michael M. Cabe,</i>	do.	do.	
<i>James Vincent,</i>	Thurlow.	do.	
<i>Oliver Burdett,</i>	Tyendinaga,	do.	
<i>Miles Shorey, Jun.,</i>	Napanee,	Midland District.	
<i>James Fraser,</i>	Kingston,	do.	
<i>Charles Marsh,</i>	Sidney,	Hastings.	
<i>William Irvine,</i>	Huntingdon,	do.	
<i>Alex. M. Nat</i>	Kingston,	Midland District.	
<i>Thos. M. Niare,</i>	do.	do.	
<i>James M. Ginnis,</i>	Bellville,	Hastings.	
<i>Henry W. Tozer,</i>	Thurlow,	do.	

Wm. Cunningham,
Philip D. Hicks,
Archd. Thompson.

Hallowell,
Thurlow,
Huntingdon.

Prince Edward District.
Hastings.
do.

List of Witnesses in
behalf of sitting mem-
ber

Mr. *Baldwin* handed in a List of Witnesses in behalf of himself as the Sitting Member for the County of *Hastings*, which was also read by the Clerk, as follows:—

NAMES.	RESIDENCE.	NAMES.	RESIDENCE.
<i>George Taylor,</i>	Thurlow.	<i>Henry W. Yager,</i>	do.
<i>John W. Maybe,</i>	do.	<i>B. F. Davy,</i>	Belleville.
<i>Thomas Scott,</i>	Village of Frankford.	<i>Peter Merritt,</i>	Rawdon.
<i>G. R. Huffman</i>	Madoc.	<i>William Hutton,</i>	Sidney.
<i>The Widow Chisholm,</i>	Sidney.	<i>Peter O'Rielly,</i>	Belleville.
<i>Archibald Griffin,</i>	do.	<i>Tobias J. W. Meyers,</i>	do.
<i>Benjamin Turner,</i>	do.	<i>John Wonnacott, Jun.,</i>	do.
<i>Gideon Turner,</i>	do.	<i>Samuel Stephens,</i>	do.
<i>N. S. Reynolds,</i>	Belleville.	<i>Isaac Canniff,</i>	Thurlow.
<i>Rev. Mich'l Brennan,</i>	do.	<i>Joseph P. Caverly,</i>	Sidney.
<i>Alex. McKenzie,</i>	Thurlow.	<i>Garrett Garrison,</i>	do.
<i>George D. McMullin,</i>	Rawdon.	<i>Peter Moon,</i>	Hungerford.
<i>David Gerrow,</i>	Thurlow.	<i>Isaac Denike,</i>	Thurlow.
<i>Wm. Fairman,</i>	do.	<i>Cyrus Riggs,</i>	Madoc.
<i>Peter Gerrow,</i>	do.	<i>Richard Little,</i>	Thurlow.
<i>Daniel Gerrow.</i>	do.	<i>Noah Hurris,</i>	Sidney.
<i>Benjamin Gerrow.</i>	do.	<i>Tobias Bleeker.</i>	Belleville.
<i>Billa Flant, Jun.,</i>	Belleville.	<i>Richard O'Rielly,</i>	Tyendinaga.
<i>John Turnbull,</i>	do.	<i>John Martin,</i>	Hungerford.
<i>Daniel Smith.</i>	Tyendinaga.	<i>Patrick Gillegan,</i>	do.
<i>James McDonald,</i>	Pictou, Prince Ewd.	<i>Henry Lasher,</i>	Ernest-town.
<i>John Ross,</i>	Belleville,	<i>Robert Talbot,</i>	Kingston.
<i>J. W. D. Moodie, Re- } turning Officer. } W. H. Pontow, Poll } Clerk. }</i>	do. do.	<i>A. Thiboda,</i>	do.
<i>Robert Porit,</i>	Tyendinaga.	<i>Widow Strange,</i>	do.
<i>Simon Ashley,</i>	Thurlow.	<i>Robt. C. A. McLean,</i>	Deputy Registrar of Co. Hastings.
<i>Dr. D. Fairfield,</i>	do.	<i>Charles Harris,</i>	} Sidney.
<i>Robert McKay,</i>	Shamondville.	<i>Asahel Harris,</i>	} do.
<i>Thos. D. Appleby,</i>	Tyendinaga.	<i>James O'Hurn,</i>	Madoc.
<i>Mrs. A. F. Benson,</i>	} Belleville.	<i>William Chard,</i>	Rawdon.
<i>C. O. Benson,</i>	} do.	<i>Edward Fuller,</i>	do.
<i>Joseph Canniff,</i>	Thurlow.	<i>Charles Davis,</i>	Madoc.
		<i>William Dajor,</i>	Thurlow.
		<i>Henry Jones,</i>	Sidney.

Select Committee to
meet at one o'clock
P. M.

On motion of Sir *Allan McNab*, seconded by Mr. *Boswell*,
Ordered—That the committee appointed to try the Petition of *T. Parker*, and others, of the County of *Hastings*, in the District of *Victoria*, complaining of the undue election and return of *Robert Baldwin*, Esquire, do meet in a committee room of this House to-morrow, at 1 o'clock, P. M.

Commission appointed
to receive evidence in
the matter of the Ni-
agara contested elec-
tion

On motion of Mr. *Small*, seconded by Mr. *Hincks*,
Resolved—That this House do nominate and appoint, under the hand and seal of the Speaker, three Commissioners, for the purpose of examining the witnesses of the Parties in the matter of the controverted election for the Town of *Niagara*, and that *John Skuter Smith*, *Jacob Keeper, Jr.*, and *Edward McMahon*, Esquires, be such Commissioners, who shall be authorized and empowered to hold their sittings at *Niagara*, on *Tuesday* next, the 20th instant, with *John Skuter Smith*, Esquire, as Chairman of the said Commission.

Committee on Niaga-
ra contested election
report absence of
members

Mr. *Halc*, Chairman of the Select Committee appointed to try the merits of the Petition of *Robert Melville* and *John McBride*, electors of the Town of *Niagara*, complaining of the undue election and return of *Edward Clarke Campbell*, Esquire, sitting member for the said Town of *Niagara*, reported to the House,

That they had met, daily, since their appointment, but were obliged to adjourn, without proceeding to business, on the 9th instant, in consequence of the absence of *Caleb Hopkins* and *Donald McDonald*, Esquires, members of the said Committee; and upon this day, in consequence of the absence of *Caleb Hopkins* and *John Gilchrist*, Esquires, members of the said committee.

On motion of Mr. *Hale*, seconded by Mr. *Thorburn*,

Ordered—That the Committee appointed to try the merits of the Petition of *Robert Melville* and *John McBride*, electors of the Town of *Niagara*, complaining of the undue election and return of *E. C. Campbell*, Esquire, as representative of the Town of *Niagara*, be adjourned until the 26th instant.

Sittings of Committee adjourned until 26th Inst.

Mr. *Christie*, Chairman of the Committee appointed to try the merits of the Petition of *William Dunlop*, of *Gairbraid*, in the County of *Huron*, Esquire, complaining of the undue election and return of *James McGill Strachan*, Esquire, as a member to represent the County of *Huron*—Reported to the House that, on the 8th and 9th instant, Mr. *Morris*, one of the members of the committee, was absent, from sickness, and that, on the 10th and 12th instant, Mr. *Morris* and Mr. *Robertson*, were also both absent, from sickness.

Com. on Huron contested election reports absence of its members.

On motion of Mr. *Prince*, seconded by Mr. *Thorburn*,

Resolved—That *John H. Haggerty*, Esquire, one of the Commissioners named to take evidence upon the controverted election for the County of *Huron*, be appointed by this House as Chairman of the said Commission, and that he be such Chairman accordingly.

Mr. Haggerty appointed chairman to commission on Huron contested election.

On motion of Mr. *Prince*, seconded by Mr. *Sherwood*,

Resolved—That the Speaker do order the Clerk of the Crown in Chancery to transmit to the Chairman of the Commissioners appointed to take evidence on the *Huron* controverted election, a certified copy of the poll book taken at such election.

Copy of Poll Book to be sent to Commission

On motion of Mr. *Prince* seconded by Mr. *Sherwood*.

Ordered—That the Committee appointed to try the merits of the Petition of *William Dunlop*, of *Gairbraid*, in the County of *Huron*, Esquire, complaining of the undue election and return of *James McGill Strachan*, Esquire, as a member to represent the County of *Huron*, be adjourned until the 17th day of *August* next, then to meet in one of the committee rooms of this House at 11 o'clock, A. M.

Sittings of Committee adjourned until 17th August.

On motion of Mr. *Black*, seconded by Mr. *Boswell*,

Ordered—That the time fixed by the order of this House, of the 28th of *June* last, for taking into consideration the Petition of *Henry Sherwood*, Esquire, complaining of the undue election and return of the Honourable *John H. Dunn*, and *Isaac Buchanan*, Esquire, be extended till next *Monday* fortnight, at the hour of 3 o'clock, P. M., and that notice to that effect in writing be forthwith given, by Mr. Speaker, to the Petitioner and the Sitting Member.

Time postponed for taking into consideration the contested election for City of Toronto.

On motion of Mr. *Black*, seconded by Mr. *Boswell*,

Ordered—That the time fixed by the order of this House of the 23th *June* last, for taking into consideration the Petitions of electors of the Second Riding of the County of *York*, and of *Connell James Baldwin*, Esquire, complaining of the undue election and return of *George Duggan*, Esquire, be extended till *Tuesday*, the 27th instant, at the hour of 3 o'clock, P. M., and that notice to that effect, in writing, be forthwith given, by Mr. Speaker, to the Petitioner and the Sitting Members.

Time for considering the matter of the second Riding of York contested election postponed.

Leave of absence to Mr. Jones.

Ordered—That Mr. Jones have leave to absent himself from the sittings of the select committee appointed to try and determine the merits of the Petition of *T. Parker*, and others, of the County of *Hastings*, in the District of *Victoria*, complaining of the undue election and return of *Robert Baldwin*, Esquire, as a member to represent the County of *Hastings*, in the present Parliament, on account of ill-health.

List of objected votes to be handed in by the parties, to Niagara contested election

On motion of Mr. *Baldwin*, seconded by Mr. *Small*,
Resolved—That the petitioners complaining of the undue election and return of *Edward C. Campbell*, Esquire, for the Town of *Niagara*, and the sitting member, do exchange, on or before *Thursday* next, at 11 o'clock, A. M., lists of the voters objected to, giving the several heads of objection, and distinguishing the same against the names of the voters excepted to by them respectively—such lists to be delivered to the parties or their agents.

House to meet at 3 P. M. in future.

Mr. *Prince* moved, seconded by Mr. *Thorburn*,
That this House do meet to-morrow at 3 o'clock, P. M., and on every future afternoon at 3 o'clock, P. M., (*Saturdays* excepted,) and that the 1st Rule of this House be suspended.

The question having been put upon the said motion, a division ensued, and it was carried in the affirmative, and

Ordered, accordingly.

Petitions brought up

The following Petitions were severally brought up and laid on the table:—

Clergy &c., of Church of England.

By Mr. *Jones*—The Petition of the Clergy and Members of the Church of *England*, and others, residing in the *Eastern Townships*, in the District of *Montreal*.

Louis Mousseau and others

By Mr. *Armstrong*—The Petition of *Louis Mousseau*, and others, Proprietors of the Parish of *Berthier*, in the District of *Montreal*.

Medical Faculty Montreal Benevolent Society Robert Armour and others. Board of Trade, Montreal.

By the Honorable Mr. *Moffatt*—The Petition of the Medical Faculty of *McGill College*—the Petition of the *Montreal Ladies Benevolent Society*, and others—the Petition of *Robert Armour*, and others, Merchants of the City of *Montreal*—and the Petition of the Board of Trade of *Montreal*.

Jas. Carroll and others

By Mr. *Hincks*—The Petition of *James Carroll*, and others, Her Majesty's Subjects, residing in the District of *Brook*.

Bishop of Toronto & others.

By the Honorable Mr. *Dunn*—The Petition of the Right Reverend the Bishop of *Toronto*, and others, the Clergy and Gentlemen of the City of *Toronto*.

J. Voyer

C. M. Lebrun and others

J. S. Lewis and others

McCrae, McGregor and others.

M. M. Traxlar and others.

President & Directors of Shefford Academy

Lewis Odell and others.

J. W. Kurczyn and others.

Aeneas Bell

J. B. Warren and others

By Mr. *Morin*—The Petition of *Jacques Voyer*, Esquire, of the City of *Quebec*—the Petition of *Charles M. Lebrun*, and others, electors of the County of *Beauharnois*—and the Petition of *J. S. Lewis*, and others, electors of the County of *Beauharnois*.

By Mr. *Woods*—The Petition of *William McCrae*, *Duncan McGregor*, and others, Magistrates and inhabitants of the *Western District*—and the Petition of *Michael M. Traxlar*, and others inhabitants of *Chatham*, *Camden*, *Harrich*, and *Howard*, in the *Western District*.

By Mr. *Foster*—The Petition of the President and Directors of the *Shefford Academy*.

By Mr. *Delisle*—The Petition of *Lewis Odell*, and others, Censitaires of the Seignory of *Lacole*, in the District of *Montreal*—and the Petition of *Nicholas J. W. Kurczyn*, and others, Grocers, of the City of *Montreal*.

By Mr. *Small*—The Petition of *Aeneas Bell*, of the City of *Toronto*—and the Petition of *John B. Warren*, and other inhabitants of *Whitby*, in the *Home District*.

By the Honorable Mr. <i>Killaly</i> —The Petition of <i>Ira Schofield</i> , and others, inhabitants of the Districts of <i>London</i> and <i>Brock</i> .	I. Schofield and others
By Mr. <i>Thompson</i> —The Petition of the President, Directors and Company of the <i>Gore Bank</i> .	Gore Bank.
By Mr. <i>Merritt</i> —The Petition of <i>Daniel Quackinbush</i> , of <i>Queenston</i> , in the District of <i>Niagara</i> .	D. Quackinbush
By Mr. <i>Watts</i> —The Petition of <i>James Millar</i> , and others, inhabitants of the County of <i>Drummond</i> .	J. Millar and others
By Mr. <i>Christie</i> —The Petition of <i>Frederick Dugas</i> , and others, Freeholders and inhabitants of <i>Carleton</i> and <i>Maria</i> , in the County of <i>Bonaventure</i> —the Petition of <i>Frederick Dugas</i> , and others, inhabitants of <i>Carleton</i> , in the <i>Bay Chaleurs</i> , County of <i>Bonaventure</i> —and the Petition of <i>Joseph Meagher</i> , and others, inhabitants of <i>Carleton</i> , in the County of <i>Bonaventure</i> .	Frederick Dugas and others. do. (2.) Jos. Meagher and others.
By Mr. <i>Campbell</i> —The Petition of <i>Alexander Davidson</i> , Esquire, of <i>Niagara</i> .	Alex. Davidson
By Mr. <i>Roblin</i> —The Petition of <i>John F. Sizsmith</i> , of the Town of <i>Kingston</i> .	J. F. Sizsmith.
By Mr. <i>Burnet</i> —The Petition of the <i>Protestant Female Orphan Asylum</i> , at <i>Quebec</i> .	Orphan Asylum Quebec
By Mr. <i>Baldwin</i> —The Petition of <i>John O. Carroll</i> , of <i>Belleville</i> .	J. O. Carroll
By Mr. <i>Black</i> —The Petition of <i>Noah Freer</i> , and others, of the City of <i>Quebec</i> —and the Petition of the Minister and Members of the Church of <i>England</i> , at <i>Riviere du Loup</i> .	Noah Freer & others Church of England Riviere du Loup
By Mr. Attorney General <i>Ogden</i> —The Petition of the <i>Society of Education</i> , of the Town of <i>Three Rivers</i> .	Education Society of Three Rivers
Pursuant to the order of the day, the following Petitions were read :	<i>Petitions read</i>
Of <i>G. W. Blanchard</i> , and others, proprietors and inhabitants of the County of the <i>Lake of Two Mountains</i> , praying to be allowed by law to become members of the Mutual Fire Insurance Company, of the County of <i>Montreal</i> .	G. W. Blanchard and others
Of <i>R. McKenzie</i> , and others, proprietors and inhabitants of the County of <i>Terrebonne</i> , in the District of <i>Montreal</i> , praying to be allowed by law to become members of the Mutual Fire Insurance Company of the County of <i>Montreal</i> .	R. McKenzie and others
Of <i>Felix Lussier</i> , Esquire, and others, proprietors and inhabitants of the County of <i>Varechères</i> , praying to be allowed by law to become members of the Mutual Fire Insurance Company of the County of <i>Montreal</i> .	F. Lussier, Esq and others.
Of the Corporation of the City of <i>Quebec</i> , praying that the inhabitants may be represented in the City Council by election, or that the powers granted to the said Council, of imposing new taxes, may be confirmed.	Corporation of Quebec
Of <i>David Secord</i> , of <i>St. David's</i> , District of <i>Niagara</i> , praying for a remuneration for services rendered during the <i>American</i> Revolution, and the late war with the <i>United States</i> .	David Secord.
Of <i>James Oswald</i> , of the Township of <i>Stamford</i> , County of <i>Lincoln</i> , praying to be naturalized.	James Oswald.
Of <i>Thomas Oswald</i> , of the Township of <i>Stamford</i> , County of <i>Lincoln</i> , praying to be naturalized.	Thomas Oswald
Of <i>Urson Harvey</i> , of <i>St. Davids</i> , County of <i>Lincoln</i> , praying to be naturalized.	Urson Harvey.
Of <i>J. E. Mignault</i> , and others, proprietors and inhabitants of the County of <i>Richelieu</i> , praying to be allowed by law to become members of the Mutual Fire Insurance Company of the County of <i>Montreal</i> .	J. S. Mignault and others
Of <i>Isidore S. Lafontaine</i> , and others, proprietors and inhabitants of the County of <i>Berthier</i> , praying that the Act 6, WILLIAM IV, Chapter xxxiii, intituled " <i>An Act to authorize the establishment of Mutual Insurance Companies against Fire accidents</i> ," may be amended.	I ^s Lafontaine and others

- Théophile Lemay, and others** Of *Theophile Lemay*, and others, proprietors and inhabitants of the County of *Rouville*, praying to be allowed by law to become members of the Mutual Fire Insurance Company of the County of *Montreal*.
- Richard Collier** Of *Richard Collier*, of the *Niagara* District, praying to be naturalized.
- C. Wetherall and others.** Of *C. Wetherall*, and others, inhabitants of the County of *Huntingdon*, praying to be allowed by law to become members of the Mutual Fire Insurance Company of the County of *Montreal*.
- Natural History Society of Montreal.** Of the *Natural History Society of Montreal*, praying for an aid to carry out a systematic geological survey of the Province.
- Rev John Torrance and others** Of the Reverend *John Torrance*, and Members of the Church of *England* of *Masconche*, and other places, praying for the establishment of Schools in the new settlements of the Province, and for the general use of the Bible in the said Schools.
- M Fraser and others** Of *Malcolm Fraser*, and others, *Protestant Inhabitants of Riviere du Loup*; District of *Quebec*, praying the same.
- Rev. Wm Brethour and others.** Of the Reverend *William Brethour* and others, members of the Church of *England*, of the county of *Beauharnois*, praying the same.
- Church of England of Melbourne** Of the Clergy and members of the Church of *England*, in *Melbourne*; and other places, praying the same.
- John McDonald and others** Of *John McDonald*, and others inhabitants of the townships of *Leeds* and *Lansdown*, praying for an Act to authorize the erection of a Bridge over the River *Cananoque*.
- S Garnsey and others.** Of *Samuel Garnsey*, and others, inhabitants of the township of *Bayham*, praying to have that county attached to the county of *Norfolk* in the District of *Talbot*.
- James Mercer and others** Of *James Mercer*, and others, inhabitants of the township of *Wulpole*, praying for the re-annexation of that township to the county of *Norfolk*, in the District of *Talbot*.
- James Covernton and others** Of *James Covernton*, and others, Magistrates and inhabitants of the District of *Talbot*, praying for the enlargement of that District.
- Edward Ellice and others** Of *Edward Ellice*, and others, inhabitants of *Beauharnois* in the county of *Beauharnois*, praying compensation for losses sustained during the late rebellion.
- A Archambault and others** Of *A. Archambault*, and others, proprietors and inhabitants, of the County of *St. Hyacinthe*, praying to be allowed by law to become members of the Mutual Fire Insurance Company for the county of *Montreal*.
- David Jones and others** Of *David Jones* and others, Magistrates and Freeholders, of the *Eastern* and *Ottawa* Districts, praying for a grant of money to repair the post road from *Cornwall* to *L'Orignal*.
- A D Fordyce and others** Of *A Dingwall Fordyce*, and others, Magistrates and Freeholders in the District of *Wellington*, praying for an Act to authorize the continuation of an extra rate until the loan for the erection of a Gaol shall have been paid off.
- A D Fordyce and others (2)** Of *A. Dingwall Fordyce*, and others, Magistrates and Freeholders of the District of *Wellington*, praying that the Act intituled "*An Act erecting certain parts of the Counties of Halton and Simcoe into a new District, by the name of the District of Wellington,*" be amended.
- Alex Young and others** Of *Alexandre Young*, and others, Censitaires, of the Seignories of *Noyan* and *Faucault*, praying for a commutation of the Feudal Tenure.
- Quebec Bank** Of the President, Vice President, and Directors, representing the Stockholders of the *Quebec Bank*, praying for a new charter.
- Bishop of Montreal & others** Of the Right Reverend the Bishop of *Montreal*, and others, proprietors of land in the Seignory of *Saint Gabriel*, praying for an aid to build a bridge over the River *Jacques Cartier*.
- Alex. Lewis and others.** Of *Alexander Lewis*, and divers others, of the Townships of *Caledon*, *Albion*, *Mono*, and other places, praying for an aid to repair the roads in their Townships.

Of *John Rae*, and other inhabitants of *Kempt Road*, in the County of *Bonaventure*, praying for a grant of money as a salary for a teacher. John Rae and others.

Of *Robert W. Kelly*, and other inhabitants of the upper part of the County of *Gaspé*, complaining of the want of roads and schools, and of the inconvenience attending the holding of the Circuit Court in summer, and praying relief. R. W. Kelly & others.

Of *Duncan McDonald*, and others, inhabitants of the Town of *Cornwall*, praying to be relieved from the assessment for the County of *Stor- mont*. Dun. McDonald and others.

Of the Reverend *William Ryerson*, and others, composing the Board of the *Upper Canada Academy*, praying an Act of Incorporation of the said Academy into a College. Rev. Wm. Ryerson and others.

Of the Honorable *M. Bell*, and others, inhabitants of the District of *Three Rivers*, complaining of the dismemberment of that District, and the removal of the chief seat of Judicature in the said District from the town of *Three Rivers*. Hon. M. Bell and others.

Of *William Robinson*, and others, inhabitants of the Township of *Trafalgar*, praying for a grant of fifty pounds to repair the road between the fourth and fifth Concessions of said Township. Wm. Robinson and others.

Of the Reverend *Andrew Balfour*, and others, residents in the Township of *Shefford*, praying for the establishment of Schools in the new settlements of the Province, and for the general use of the Bible in the said Schools. Rev. Andrew Balfour and others.

Resolved—That the Petition of *Felix Lussier*, Esquire, and others, proprietors and inhabitants of the County of *Verchères*, be referred to a committee of five members, to examine the contents thereof, and report thereon with all convenient speed, by Bill or otherwise; with power to send for persons, papers and records. *Petitions referred*
Felix Lussier, Esq. and others.

Ordered—That the Honourable Mr. *Viger*, the Honourable Mr. *Moffatt*, Mr. *Boutillier*, Mr. *Armstrong*, and Mr. *Quésnel*, do compose the said Committee.

Ordered—That the Petition of *J. E. Mignault*, and others, proprietors and inhabitants of the County of *Richelieu*, be referred to the said Committee. Of J. E. Mignault and others.

Ordered—That the Petition of *A. Archambault*, and others, proprietors and inhabitants of the County of *St. Hyacinthe*, be referred to the said Committee. Of A. Archambault and others.

Ordered—That the Petition of *Isidore S. Lafontaine*, and others, proprietors and inhabitants of the County of *Berthier*, be referred to the said Committee. Of Isidore S. Lafontaine and others.

Ordered—That the Petition of *C. Wetherall*, and others, inhabitants of the County of *Huntingdon*, be referred to the said Committee. Of C. Wetherall and others.

Ordered—That the Petition of the President, Vice President, and Directors, representing the Stockholders of the *Quebec Bank*, be referred to the Special Committee to which was referred the Petition of the President, Directors and Company of the Bank of *Upper Canada*, and other references. Of the Quebec Bank.

Resolved—That the Petition of the Reverend *William Ryerson*, and others, composing the board of the *Upper Canada Academy*, be referred to a Committee of five members, to examine the contents thereof, and report thereon with all convenient speed, by Bill or otherwise, with power to send for persons, papers, and records. Of the Rev Wm Ryerson and others.

Ordered—That Mr. *Biswell*, Mr. *Williams*, Mr. *Roblin*, Mr. Solicitor General *Day*, and Mr. *Baldwin* do compose the said Committee.

of the Montreal Ladies Benevolent Society

Resolved—That the Petition of the *Montreal Ladies Benevolent Society*, and others, be referred to a Committee of five members, to examine the contents thereof and report thereon with all convenient speed, by Bill or otherwise ; with power to send for persons, papers, and records.

Ordered—That the Honourable Mr. *Moffatt*, Mr. *Quesnel*, Mr. *Delisle*, Mr. *Duncomb*, and Mr. *Holmes*, do compose the said Committee.

Con. of whole on Friday next, on Ordinances of Governor and Council.

On motion of Mr. *Neilson*, seconded by Mr. *Noel*,

Resolved—That this House will, on *Friday* next, resolve itself into a Committee of the whole House to consider any and what amendments are necessary to two certain Ordinances of the Governor and Special Council of the late Province of *Lower Canada*, relating to the incorporation of the City of *Quebec*.

Petition of Corporation of Quebec referred

Ordered—That the Petition of the Corporation of the City of *Quebec*, be referred to the said Committee.

Committee on Petition of Sharrard & Henry, report Bill for Religious Denominations to hold lands, and a Bill to enable them to celebrate Matrimony

Mr. *Williams*, from the Special Committee to which were referred the petitions of *James W. Sharrard*, and *Thomas Henry*, *Christian Ministers*, of the *Home* District, and of the People denominated *Bible Christians*, with power to report by Bill or otherwise, presented to the House a Bill to enable Religious Societies of all denominations of Christians, to hold the lands requisite for certain purposes therein mentioned, which was received and read for the first time.

And also a Bill to enable the Ministers of all denominations of Christians to solemnize marriage, under certain restrictions, which was also received and read for the first time.

Ordered—That the Bill to enable Religious Societies of all denominations of Christians to hold the lands requisite for certain purposes therein mentioned, be read a second time this day week.

Ordered—That the Bill to enable the Ministers of all denominations of Christians to solemnize marriage, under certain restrictions, be read a second time this day week.

Mr. *Hamilton*, from the Special Committee to which was referred the Bill to regulate the Fisheries in the District of *Gaspé*, presented to the House the report of the said Committee, which was again read at the Clerk's table, as followeth :—

Report of Select Committee on Gaspé Fisheries Bill

Your Committee having ascertained the fact that legislative enactments were essentially requisite to regulate the important Fisheries in the said District, and to protect its trade, have adopted, with certain amendments, all that part of the Bill relating to the Cod Fisheries.

Your Committee regret to find, that the value of the Salmon Fisheries has considerably decreased in the said District, and being of opinion that such decrease may probably be owing to the absence of those wholesome regulations which have been adopted in other countries for the preservation of such fisheries, and to the permission of a practice, condemned both in *England* and *Scotland*, of using stake nets in the rivers, have thought it advisable (the Salmon Fishery being over for the present season) to strike out the several clauses in the said Bill, relating to the Salmon Fisheries, and have prepared questions to be submitted to those persons engaged in the same and interested in the trade connected with them, in order that answers may be forwarded to the Clerk of the House before the next session of the Provincial Parliament, when a permanent law may be passed for the preservation of the Salmon and the regulations of Salmon Fisheries, in the said District.

Mr. Christie, a member of the Committee, dissents

(Mr. *Christie* dissents from that part of the report which attributes the falling off, of the Salmon Fishery, to the practice of using stakes :—This

is not the fact,—the Salmon Fishery cannot, in the *Ristigouche*, be carried on without the use of stakes.—In other respect he agrees with the report.)

Ordered—That the said Bill and report be referred to a Committee of the whole House on *Monday* next.

The Honourable *S. B. Harrison*, presented, pursuant to an Address to His Excellency, the Governor General, of the first instant, a return of the amount of duties levied at *Bytown* upon timber floated down the River *Ottawa*, for the last five years, specifying the amount paid in each year, and upon what description of timber, and also, if any, and what portion of such duties has been expended upon the improvement of the navigation of the *Ottawa*, at, or above *Bytown*.

Return of duties levied at *Bytown* on timber, presented to the House.

For the said Return see Appendix (G.)

Ordered—That Mr. *Price* have leave to absent himself from this House until *Wednesday* the *fourteenth* Instant.

Mr. Price obtains leave of absence.

Ordered—That Mr. *Jones* have leave to absent himself from this House on account of indisposition.

Mr. Jones obtains leave of absence.

On motion of Mr. *Neilson*, seconded by Mr. *Cameron*,

Ordered—That the Order of the day for the House in Committee to take into consideration the Petition of *William Walker*, and other inhabitants of the City of *Quebec*, relating to the Timber Trade, lost by the adjournment of the House of *Friday* last, be revived, and that this House will, on to-morrow, resolve itself into the said Committee.

Order of day relating to pet. of *W. Walker*, revived.

On motion of Mr. *Simpson*, seconded by Mr. *Hincks*,

Resolved—That the Committees on currency, and on Banking Petitions, be consolidated, and that it be an instruction to the same to ascertain the most advisable standard or standards of the value for the currency of the Province, and the regulating the exchange thereof; and to consider the expediency of one general system of Banking for the Province, to report from time to time; with power to send for persons, papers, and records.

Committees on Banking and on Currency consolidated.

Ordered—That the Honourable Mr. *Harrison*, and Mr. *Quesnel* be added to the said Committee.

On motion of Mr. *Hincks*, seconded by Mr. *Dunscornb*,

Ordered—That it be an instruction to the Select Committee on currency and Banking to inquire into the operation of the existing Usury Laws on the Agricultural and Commercial interest of this Province, and that the said Committee have the same powers with reference to this, as to the other subjects now under their consideration.

Com. on Banking to inquire into usury laws.

Mr. *Thorburn* moved, seconded by Mr. *Neilson*,

That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to issue his warrant in favor of the Speaker of this House for the sum of five thousand Pounds, to be applied in liquidation of the contingent expenses due by the Legislature of the late Province of *Upper Canada*, and toward the payment of the contingencies of this House consequent on the present session.

Address to His Excellency to issue warrant for payment of certain contingencies.

The question having been put upon the said motion, a division ensued, and it was carried in the affirmative, and—

Resolved accordingly.

Ordered—That the said Address be presented to His Excellency by such members of this House as are of the Honourable the Executive Council of this Province.

Order of day for com
on Canada Fire As-
surance Company bill,
revived

On motion of Mr. *Black*, seconded by Mr. *J. S. M' Donald*,
Ordered—That the Order of the day for the House in Committee on the Bill for incorporating the *Canada Fire Assurance Company*, lost by the adjournment of the House of *Wednesday* last, be revived, and that this House will, on to-morrow, resolve itself into the said Committee.

Order of the day on
elections bill revived.

On motion of Mr. *Buldrin*, seconded by Mr. *Durand*,
Ordered—That the Order of the day for the second reading of the Bill the better to provide for the freedom of elections throughout this Province, and for other purposes therein mentioned, lost by the adjournment of the House of *Wednesday* last, be revived, and that the said Bill be read a second time on *Thursday* next, and that it be then the first item on the Order of the day.

Address to His Ex-
cellency for corres-
pondence from School
visitor.

On motion of Mr. *Dunscomb*, seconded by Mr. *Holmes*,
Resolved—That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House copies of the reports and correspondence received from the school visitor under the Ordinance 2 Vic. Cap. 13. in the county of *Beauharnois*.

Ordered—That the said address be presented to His Excellency by such members of this House, as are of the Honourable Executive Council of this Province.

House to go into com-
mittee of whole on
rules

On motion of Mr. *Simpson*, seconded by Mr. *Neilson*,
Resolved—That this House will, on *Friday* next, resolve itself into a committee of the whole House to consider the expediency of altering, rescinding, or amending any of the rules of this House.

Order of day for
House in Com on ad-
ditional loan for Gaol
and Court House, in
district of Simcoe, re-
vived.

On motion of Mr. *Child*, seconded by Sir *Allan M'Nab*.
Ordered—That the Order of the day for the House in Committee to consider the expediency of authorizing an additional Loan to complete the Court House and Gaol in the District of *Simcoe*, lost by the adjournment of the House on *Thursday* the 8th inst., be revived; and that this House will, on this day three weeks, resolve itself into the said committee.

Militia law amend-
ment bill to be read
second time.

Ordered—That the Bill to amend the Militia Law, of that part of the Province formerly constituting the Province of *Upper Canada*, be read a second time on *Friday* next.

Order of the day for
Com of whole on
warehousing, &c, re-
vived

On motion of Mr. *Dunscomb*, seconded by Mr. *Black*.
Ordered—That the Order of the day for the House in Committee to consider the expediency of introducing measures for the warehousing and Bonding of goods, in the several free warehousing Ports of this Province, lost by the adjournment of the House, on *Wednesday* last, be revived, and that this House will on *Wednesday* next, resolve itself into the said Committee.

Order of the day, for
Com. of whole on Feudal
Tenure revived

On motion of Mr. *Dunscomb*, seconded by Mr. *Black*,
Ordered—That the Order of the day for the House in Committee, to take into consideration the Laws, of that part of the Province heretofore known as *Lower Canada*, touching the tenure of Lands and commonly known as "Feudal Tenure," and to consider the expediency of altering and amending the same, and the best and most equitable mode of effecting the alterations that may be deemed necessary, lost by the adjournment of the House of *Wednesday* last, be revived, and that this House will, on *Monday* next, resolve itself into the said Committee.

Message to be sent to
Leg Coun. for attend-
ance of certain mem-
bers on Sel Com

Resolved—That a message be sent to the Honourable the Legislative Council, praying their Honours will permit the Honourable *René Edmond*

Caron, and *John Frazer*, two of their members, to attend the Select Committee of this House, to which is referred that part of the Petition of certain Inhabitants of the county of *Saguenay*, relating to Winter Vehicles, on *Thursday* next, at ten o'clock in the forenoon, to be examined on the subject of the said reference.

Ordered—That *Mr. Parent*, do carry the said Message to the Legislative Council.

On motion of *Merrill*, seconded by *Mr. Thorburn*,

Ordered—That the Order of the day for the second reading of the Bill for the relief of disabled and infirm persons, lost by the adjournment of the House, of *Wednesday* last, be revived, and that the said Bill be read a second time, on *Friday* next.

Order of day, on bill for relief of disabled and infirm persons, revived.

On motion of *Mr. Neilson*, seconded by *Mr. Noel*,

Ordered—That the Order of the day for the House in Committee to consider the orders adopted by the late House of Assembly of *Lower Canada* for regulating its proceedings in cases of contested elections in that Province, lost by the adjournment of the House on *Thursday* last, be revived, and that this House will, on to-morrow, resolve itself into the said Committee, and that it be then the first Order of the day.

Order of day, for House in com. on the matter of Lower Canada contested elections, revived.

On Motion of *Mr. Holmes*, seconded by *Mr. Dunscomb*,

Ordered—That the Order of the day for the House in Committee, to consider the expediency of enquiring into the several laws levying duties on imports into this Province, and to consider the propriety of amending and consolidating the same, lost by the adjournment of the House, of *Wednesday* last, be revived, and that this House will, on *Friday* next, resolve itself into the said Committee.

Order of day for House in com. on laws levying duties on imports, &c., revived.

On motion of *Mr. Christie*, seconded by the Honourable *Mr. Viger*,

Resolved—That this House will, on *Tuesday*, the *twentieth* instant, resolve itself into a Committee of the whole House, to take into consideration the expediency of altering and amending the Judicature Acts, relating to the Inferior District of *Gaspé*.

House to go into com. of whole on Judicature acts relating to Gaspé.

Ordered—That the Honourable *Mr. Harrison* have leave to bring in a Bill to secure and confer upon certain inhabitants of this Province the Civil and Political Rights of natural born *British* subjects.

He accordingly presented the said Bill, to the House and the same was received and read for the first time.

Ordered—That the said Bill be read a second time on *Monday* next.

Naturalization Bill brought in and read.

On motion of *Mr. Small*, seconded by *Mr. Durant*,

Ordered—That the Order of the day for the second reading of the Bill to authorize the voting by ballot, lost by the adjournment of the House of *Wednesday* last, be revived, and that the said Bill be read a second time on *Tuesday* the 20th instant.

Order of the day for second reading of ballot bill, revived.

On motion of *Mr. Small*, seconded by *Mr. Noel*,

Ordered—That the order of the day for the second reading of the Bill to enable members of the Legislative Assembly, for places within that part of the Province formerly constituting the Province of *Upper Canada*, to vacate their seats in certain cases, and for other purposes, lost by the adjournment of the House of *Wednesday* last, be revived, and that the said Bill be read a second time on *Wednesday*, the 21st instant.

Order of day for 2nd reading members seats vacation bill, revived.

A Bill to regulate the inspection and measurement of timber, masts, spars, deals, staves, and other articles of a like nature, in the Ports of

Bill, inspection of timber &c., read second time.

Quebec and *Montreal*, and for other purposes relative to the same, was, according to order, read a second time.

Mr. *Cameron* moved, seconded by Mr. *Noel*,

Bill referred to select committee

That the said Bill be referred to a Select Committee, of seven members, to be composed of Mr. Solicitor General *Day*, Mr. *Derbshire*, Mr. *D. McDonald*, Mr. *Johnston*, Mr. *Burnet*, and the Honorable Mr. *Moffatt*, to report thereon with all convenient speed; with power to send for persons, papers, and records, and that the 77th Rule of this House be dispensed with, so far as relates to the appointment of this committee.

The question having been put upon the said motion, a division ensued, and it was carried in the affirmative, and—

Resolved accordingly.

Order of day for committee of whole on 1st report on clerk's office, revived.

On motion of Mr. *Small*, seconded by Mr. *Simpson*,

Ordered—That the order of the day for the House in Committee on the 1st Report of the Special Committee appointed to enquire what assistance it will be necessary to afford to the Clerk, and what offices and departments it will be expedient to establish for the effective and orderly conduct of the business of this House, lost by the adjournment of the House of *Wednesday* last, be revived, and that this House will, on *Wednesday* next, resolve itself into the said Committee, and that it be then the first order of the day.

Order of day for committee of whole on address to His Excellency on revising of statutes, revived.

On motion of Mr. Solicitor General *Day*, seconded by Mr. *Black*,

Ordered—That the order of the day for the House in Committee, to take into consideration the expediency of presenting an humble Address to His Excellency, the Governor General, praying His Excellency to appoint a Commission for the purpose of revising the Statutes and Ordinances of that part of this Province formerly called *Lower Canada*, lost by the adjournment of the House of *Wednesday* last, be revived, and that this House will, on to-morrow, resolve itself into the said Committee.

Then, on motion of Mr. *Neilson*, seconded by Mr. *Aylwin*,
The House adjourned.

Martis. 13^o die Julii ;

Anno 5^o *Victoriæ Reginae*, 1841.

New member reported for Middlesex

Mr. Speaker informed the House, that the Clerk of this House had received from the Clerk of the Crown in Chancery a certificate of the election of a member for the County of *Middlesex*, in the room of *Thomas Parke*, Esquire, who had vacated his seat.

And the said certificate was read, and is as followeth :—

OFFICE OF THE CLERK OF THE CROWN IN CHANCERY,

Kingston, 13th July, 1841.

This is to certify that, in virtue of a writ of election, dated the 18th day of *June*, now last past, issued by His Excellency, the Governor in Chief, and directed to the Returning Officer for the County of *Middlesex*, (*John Wilson*, Esquire,) for the election of one member for the said County of *Middlesex*, in the place and room of *Thomas Parke*, Esquire, who, since his election, hath accepted the office of Her Majesty's Surveyor

General of the Province of *Canada*; *Thomas Parke*, Esquire, has been returned, as duly elected, accordingly, as appears by the Return of the said writ, dated the 10th instant, which is lodged of record in my office.

THOS. AMIOT,
Clk. Cr. in Ch'y.

To W. B. LINDSAY, Esq., }
Clk. Leg. Ass'y. }

The following Petitions were severally brought up and laid on the table:—

By the Honourable Mr. *Moffatt*—The Petition of the Board of Trade of *Montreal*, respecting Bankrupt Laws, and the Petition of the Board of Trade of *Montreal* respecting real estate.

By Mr. *Child*—The Petition of *Andrew Patton*, of *Stanstead*.

By Mr. *Biswell*—The Petition of *Henry Trout*, and others, inhabitants of the Townships of *Asphodel* and *Dummer*.

By Mr. *De Salaberry*—The Petition of *M. Townsend*, and other inhabitants of *Foucault*, *Noyan*, and other places.

By Mr. *Merritt*—The Petition of *Henry Douthitt*, of *Port Colborne*.

By Mr. *McLean*—The Petition of *John Montgomery*, and others, inhabitants of the Township of *Roxborough*.

By Mr. *Woods*—The Petition of *George P. Kirby*, and other inhabitants of the County of *Kent*.

By Captain *Steel*—The Petition of *James Adam*, and others, inhabitants of *Oro*.

By Mr. *Prince*—The Petition of *Henry Jessop*, of the City of *Toronto*.

By Mr. *Dunscumb*—The Petition of the Corporation of the City of *Montreal*, and the Petition of the North American Colonial Association of *Ireland*.

By Mr. *Buchanan*—The Petition of the President, Directors and Company of the Bank of *Upper Canada*.—The Petition of *George P. Ridout*, of the City of *Toronto*, respecting the inspection of flour and meal, pork, &c.—The Petition of *George P. Ridout*, of the City of *Toronto*, respecting the timber duties.—The Petition of *G. P. Ridout*, of the City of *Toronto*, respecting currency.—The Petition of *George P. Ridout*, of the City of *Toronto*, respecting usury.

On motion of Mr. *De Salaberry*, seconded by Mr. *Hucks*,

Ordered—That the Petition of *Théophile Lemay*, and others, proprietors and inhabitants of the County of *Rouville*, presented to the House, on the 5th instant, be referred to the special committee to which was referred the Petition of *Félix Lassier*, Esquire, and others, proprietors and inhabitants of the County of *Verchères*.

On motion of the Honourable Mr. *Moffatt*, seconded by Mr. *Holmes*,
Ordered—That the Petition of the Board of Trade of *Montreal*, respecting Usury—and the Petition of the Board of Trade, of *Montreal*, respecting the Currency, presented to the House on the 21st of *June* last, be referred to the select committee on Currency and Banking.

The Honourable Mr. *Moffatt* moved, seconded by Mr. *Dunscumb*,
That the Petition of *Robert Armour*, and others, merchants of the City of *Montreal*, praying for an Act to incorporate the Board of Trade of said City, presented to the House on the *twelfth* instant, be referred to a select committee, consisting of Mr. *Dunscumb*, Mr. *Black*, Mr. *Burnet*, and Mr. *Merritt*, to examine the contents thereof, and to report thereon

with all convenient speed, by Bill or otherwise; with power to send for persons, papers, and records; and that the Rule of this House, in relation to the nomination of Committees, be dispensed with, so far as relates to the appointment of this Committee.

The question having been put upon the said motion, a division ensued, and it was carried in the affirmative, and—

Resolved accordingly.

Bill, Notaries in Gaspé, read.

Mr. *Hamilton*, from the Special Committee, to which was referred the Bill to amend a certain Ordinance passed in the 3rd year of Her Majesty's Reign, intituled "*An Ordinance to provide permanently for the want of Notaries in the Inferior District of Gaspé, and to remove doubts therein mentioned,*" reported that the Committee had gone through the Bill without making any amendment thereto; and the report was again read at the Clerk's Table.

Ordered—That the said Bill be referred to a Committee of the whole House on *Monday* next.

Address to His Excellency for information, in relation to continuation of Saint Lawrence Canal.

On motion of Mr. *Burnet*, seconded by Mr. *Merritt*,

Resolved—That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to inform this House if it be the intention of Government to recommend a continuation of the *St. Lawrence* Canal, so as to open the communication hence to the Ocean, with the least possible delay.

Ordered—That the said Address be presented to His Excellency by such members of this House as are of the Honourable the Executive Council of this Province.

Address to His Excellency on time of appointment of R. Baldwin, Esq., as Executive Councillor.

On motion of Sir *Allan McNab*, seconded by Mr. *Sherwood*,

Resolved—That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to inform this House of the date upon which *Robert Baldwin*, Esquire, was appointed to the office of one of His Excellency's Executive Council, also of the day upon which he was sworn in, and accepted the said office.

Ordered—That the said Address be presented to His Excellency by such members of this House as are of the Honourable the Executive Council of this Province.

Order of day for considering grounds and reasons against the Election of J. E. Turcotte, Esq., revived.

On motion of Mr. *Prince*, seconded by Mr. *DeSalaberry*,

Ordered—That the order of the day for taking into consideration a motion made by Mr. *Prince* on *Monday*, the 28th of *June* last, viz: that the grounds and reasons of complaint, set forth in the Petition of divers electors of the County of *St. Maurice*, if true, are sufficient to make void the Election of *Joseph Edouard Turcotte*, Esquire, lost by the adjournment of the House, of Thursday the 8th instant, be revived, and that the said motion be taken into consideration to-morrow, and that it be then the first order of the day.

Order of the day for considering petition of Henry Sherwood, Esq. discharged.

On motion of Mr. *Thorburn*, seconded by Mr. *Black*,

Ordered—That the order made on the 28th. day of *June* last, for taking into consideration the petition of *Henry Sherwood* Esquire, complaining of the undue election and return of the Honourable *John Henry Dunn*, and *Isaac Buchanan*, Esquire, to serve in this present Parliament, be discharged, and also that the order of yesterday, for the future consideration of the same, be rescinded.

Committee of whole, on to-morrow, on purchasing private stock of the Welland Canal.

On motion of Mr. Attorney General *Draper*, seconded by Mr. *Hamilton*,

Resolved—That this House will, on to-morrow, resolve itself into a Committee of the whole House, to take into consideration the expediency

of granting a sum of money to purchase the private shares in the *Welland Canal*.

On motion of Mr. *Prince*, seconded by Mr. *Woods*,

Resolved—That an humble Address be presented to His Excellency, the Governor General, praying that this Excellency will be pleased to inform this House whether the Royal assent has been given, or is likely to be given, to a Bill passed by the Legislature of *Upper Canada*, at their last session, intituled “*An Act to impose certain duties on certain articles Imported into this Province from the United States of America.*”

Address to His Excellency for information on Bill to imp. se duties on imports from United States.

And if not, whether His Excellency has received any instructions from Her Majesty's Government respecting that Bill, and if so, that His Excellency will be pleased to give this House all such information upon the subject as to His Excellency shall seem meet.

Ordered—That the said Address be presented to His Excellency by such members of this House as are of the Honourable the Executive Council of this Province.

On motion of Mr. *Christie*, seconded by Mr. *Taché*,

Resolved—That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House copies of the defence, or answer of the Honourable *John Gaultier Thompson*, Provincial Judge, of the inferior District of *Gaspé*, together with the depositions or affidavits, and papers, in support thereof, to the accusations or impeachment voted by the Assembly of the late Province of *Lower Canada*, against the said Provincial Judge, the 12th of *March*, 1836, and presented to the then Governor in Chief, the 16th of the same month; and copy or copies of any despatch or despatches to the Governor of *Lower Canada* from the Government in *England*, disposing of the said accusations or impeachment, or relative thereto.

Address to His Excy. for certain papers in relation to the impeachment of the Hon. J. G. Thompson.

Ordered—That the said Address be presented to His Excellency, by such members of this House as are of the Honourable the Executive Counsel of this Province.

On motion of Mr. *Baldwin*, seconded by Mr. *Small*,

Ordered—That the name of *John Shuter Smith*, be struck out of the Commission for taking evidence in the *Niagara* contested election case, and that *Arthur Ackland*, be appointed in his place, and be Chairman of the said Commission.

Arthur Ackland; chairman of the commission on Niagara election.

The Order of the day for the House in Committee to consider the orders adopted by the late House of Assembly of *Lower Canada*, for regulating its proceedings in cases of contested elections in that Province, being read.

House in com. on Lower Canada proceedings as to elections.

The House accordingly resolved itself into the said Committee.

Mr. *Raymond* took the Chair of the Committee, and after some time spent therein.

Mr. Speaker, resumed the Chair.

The Order of the day for the House in Committee on the Bill for incorporating the *Canada Fire Assurance Company* being read,

Order of day for com. of whole on Canada Fire Assurance Company, postponed.

Ordered—That the said order of the day be postponed until *to-morrow*.

Then on motion of the Honourable Mr. *Moffatt*, seconded by Mr. Attorney General *Ogden*,

The House Adjourned.

Mercurii, 14^o die Julii;

Anno 5^o Victoriae Reginae, 1841.

Petitions brought up

Of inhabitants of Douro

Horace Keating, and others.

Michael Healy, and others.

Bishop of Montreal and others.

Petitions read.

Of Clergy and members of Church of England, Eastern Townships

Of Louis Mosseau, and others.

Of Medical Faculty of McGill College.

Of Montreal Ladies Benevolent Society.

Of Robert Armour, and others.

Of Board of Trade of Montreal

Of James Carrall, and others.

Of the Bishop of Toronto & others.

Of Jacques Voyer

Of C. M. Lebrun, and others.

Of J. S. Lewis, and others.

Of M'Crac, M'Gregor, and others.

Michael M. Traxlar, and others.

Of the Pres. and Directors of Shefford Academy.

Of N. J. W. Kurczyn, and others

The following Petitions were severally brought up and laid on the table :—

By Mr. *Gilchrist*, the petition of divers inhabitants of the Township of *Douro*.

By Captain *Steele*, the Petition of *Horace Keating*, and others, and the petition of *Michael Healy*, and others, of the Township of *Adjala*.

By Mr *Burnet*, the petition of the Right Reverend, the Bishop of *Montreal*, and others of *Quebec*.

Pursuant to the order of the day, the following petitions were read :
Of the Clergy and Members of the Church of *England*, and others, residing in the *Eastern Townships*, in the District of *Montreal*, praying for the establishment of Schools, and for the general use of the Bible in the same.

Of *Louis Mosseau*, and others, proprietors of the Parish of *Berthier*, in the District of *Montreal*, praying for an aid to build a Bridge over the River *Bayonne*, in the Parish of *Berthier*.

Of the Medical Faculty of *McGill College*, praying for an aid to support the Medical School of the said College.

Of the *Montreal Ladies Benevolent Society*, and others, praying for a grant of £1,500 for the support of that Institution.

Of *Robert Armour*, and others, merchants of the City of *Montreal*, praying for an Act of incorporation of the Board of Trade of *Montreal*.

Of the Board of Trade of *Montreal*, praying for a grant of money to improve the channel in Lake *St. Peter*.

Of *James Carrall*, and others. Her Majesty's subjects, residing in the District of *Brock*, praying for the enlargement of the District Town.

Of the Right Reverend the Bishop of *Toronto*, and others, the Clergy and Gentlemen of *Toronto*, praying a grant of £1000 for the support of the House of Industry in that City.

Of *Jacques Voyer*, Esquire, of the City of *Quebec*, praying for a pension.

Of *Charles M. Lebrun*, and other electors of the County of *Beauharnois*, praying an investigation into the occurrences which have taken place at several of the elections in the District of *Montreal*, and that the election and return of *J. W. Dunscomb*, Esquire, as member for the said County, be declared null.

Of *J. S. Lewis*, and other electors of the County of *Beauharnois*, praying that the election and return of *J. W. Dunscomb*, Esquire, as member of the said County, be declared null.

Of *William M'Crac*, *Duncan M'Gregor*, and others, Magistrates and Inhabitants of the *Western District*, praying for an aid to complete the *Tecumseth Road*.

Of *Michael M. Traxlar*, and others, inhabitants of *Chatham*, *Camden*, *Harwich*, and *Howard*, in the *Western District*, praying to set aside the decrees of the Boundary Line Commissioners in the Township of *Chatham*, and to establish the lines agreeably to the first survey.

Of the President and Directors of the *Shefford Academy*, praying for a further aid to support the said Academy.

Of *Nicholas J. W. Kurczyn*, and others, Grocers of the City of *Montreal*, praying the repeal of the Ordinance 4 VIC., Cap. 42.

- Of *Aeneas Bell*, of the City of *Toronto*, praying for a situation as Messenger in the Legislative Assembly. Of *Aeneas Bell*.
- Of *John B. Warren*, and others, inhabitants of *Whitby*, in the *Home District*, praying for an Act of incorporation for the construction of a Harbour at the mouth of *Annis's Creek*. Of *John B. Warren* and others.
- Of *Ira Schofield*, and others, inhabitants of the Districts of *London* and *Brock*, praying for an aid of £2,000 to open a road. Of *Ira Schofield*, and others.
- Of the President, Directors and Company of the *Gore Bank*, praying for an Act to increase the Capital Stock to £250,000. Of Pres., Direc. and Compy. of *Gore Bank*.
- Of *Daniel Quackinbush*, of *Queenston*, in the District of *Niagara*, praying to be naturalized. Of *Dan. Quackinbush*.
- Of *James Millar*, and others, inhabitants of the County of *Drummond*, praying to be united to the incorporated Societies of *Sherbrooke* and *Stanstead*, for Mutual Insurance against fire. Of *James Millar*, and others.
- Of *Frederick Dugas*, and others, freeholders and inhabitants of *Carleton* and *Maria*, in the County of *Bonaventure*, complaining of the poll for the elections being held at *Neo Carlisle* only, and praying relief. Of *Frederick Dugas*, and others.
- Of *Frederick Dugas*, and others, inhabitants of *Carleton*, in the *Bay Chaleurs*, County of *Bonaventure*, praying the opening of a Road between *Carleton* and the Mission on the *Ristigonche*. Of *Frederick Dugas*, and others (2).
- Of *Joseph Meagher*, and others, inhabitants of *Carleton*, in the County of *Bonaventure*, praying for an allowance for education in their settlements. Of *Joseph Meagher*, and others.
- Of *Alexander Davidson*, Esquire, of *Niagara*, praying for an exclusive right to publish the *Canada Spelling Book*, for a number of years. Of *Alex. Davidson*, Esq.,
- Of *John F. Sixsmith*, of the Town of *Kingston*, praying to be naturalized. Of *John F. Sixsmith*.
- Of the Protestant Female Asylum at *Quebec*, praying a continuance of the aid they have received for the last three years. Of Protestant female asylum, *Quebec*.
- Of *John O'Carroll*, of *Belleville*, complaining of injuries done to himself, his family, and property, by Volunteers in Her Majesty's service at *Belleville*, and praying Relief. *John O'Carroll*.
- Of *Noah Freer*, and others, of the City of *Quebec*, praying that the House may exercise its influence to give full effect to the Registry Enactments. Of *Noah Freer*, and others.
- Of the Minister and Members of the Church of England at *Riviere du Loup*, praying for the establishment of Schools, and for the general use of the Bible in the said Schools. Of Minister and members of Church of England, *Riviere du Loup*.
- Of the Society of Education, of the Town of *Three Rivers*, praying for a grant of £150 towards the support of a School. Of Society of Education of *Three Rivers*.
- A Message from the Legislative Council by *John Godfrey Spragge*, Esquire, Master in Chancery. Message from Legislative Council.

MR. SPEAKER,

The Legislative Council have passed the Bill, intituled "*An Act to permit Robert John Turner to practice as Solicitor in the Court of Chancery*," with an amendment, to which they desire the concurrence of the Assembly.

And, also,

LEGISLATIVE COUNCIL, 13th JULY, 1841.

Ordered—That the Master in Chancery do go down to the Assembly and acquaint that House that the Honorable Messieurs *John Fraser* and *Caron* have leave to attend the Select Committee of the Assembly, as desired by that House in their Message received this day, if they think fit.

Attest,

JAMES FITZGIBBON,

Clerk Leg. Council.

And then he withdrew.

Petitions referred

Of North American
Association of Ireland.

Mr. *Dunscomb* moved, seconded by Mr. *Hale*,
That the Petition of the *North American* Colonial Association of
Ireland, praying for leave to make roads, &c., be referred to a Committee,
consisting of the Honorable Mr. *Killaly*, Mr. *Merritt*, Mr. *Morin*, and Mr.
Tuchè, to examine the contents thereof, and to report thereon with all con-
venient speed, by Bill or otherwise, with power to send for persons, pa-
pers, and records—and that the 77th Rule of this House be suspended so
far as relates to the appointment of this Committee.

The question having been put upon the said motion, a division ensu-
ed, and it was carried in the affirmative, and—

Resolved, accordingly.

Of Pres., Directors
and company of Gore
Bank.

On motion of Mr. *Thompson*, seconded by Mr. *Powell*,

Ordered—That the Petition of the President, Directors and Company
of the *Gore* Bank, praying for an Increase of Stock, be referred to the
Special Committee, to which was referred the Petition of the President,
Directors and Company of the Bank of *Upper Canada*, and other references.

Of John B Warren,
and others.

On motion of Mr. *Small*, seconded by Mr. *Price*,

Ordered—That the Petition of *John B. Warren*, and others, inhabi-
tents of *Whitby*, in the *Home* District, presented to the House on the
12th instant, be referred to the Special Committee to which was referred
the Petition of *A. M. Farewell*, *Abram Butterfield*, and others, of the
Townships of *Whitby* and *Darlington*.

Hon. Mr. Killaly,
added to committee.

Ordered—That the Honorable Mr. *Killaly* be added to the said Com-
mittee.

Petition of James Mil-
lar, and others. re-
ferred.

Resolved—That the Petition of *James Millar*, and others, inhabitants
of the County of *Drummond*, presented to the House on the 12th instant,
be referred to a Committee of five members, to examine the contents
thereof, and to report thereon with all convenient speed, by Bill or other-
wise; with power to send for persons, papers and records.

Ordered—That Mr. *Watts*, Mr. *Moorc*, Mr. *Child*, Mr. *Foster*, and
Mr. *Hale*, do compose the said Committee.

Petition of G W.
Blanchard, and others,
referred.

On motion of Mr. *Robertson*, seconded by the Honorable Mr. *Moffatt*,

Ordered—That the Petition of *G. W. Blanchard*, and others, pro-
prietors and inhabitants of the County of the *Lake of Two Mountains*, and
the Petition of *R. McKenzie*, and others, proprietors and inhabitants of the
County of *Terrebonne*, in the District of *Montreal*, presented to the House
on the 5th instant, be referred to the Special Committee to which was
referred the Petition of *Felix Lussier*, Esquire, and others, proprietors and
inhabitants of the County of *Verchères*.

Petition of Aeneas
Bell, referred.

On motion of Mr. *Small*, seconded by Mr. *Price*,

Resolved—That the Petition of *Aeneas Bell*, of the City of *Toronto*,
be referred to the Special Committee appointed to enquire what assistance
it will be necessary to afford to the Clerk, and what Offices and Depart-
ments it will be expedient to establish for the effective and orderly conduct
of the business of this House.

And of Julia Bell

Ordered—That the Petition of *Julia Bell*, wife of *Aeneas Bell*, pre-
sented to the House on the 1st instant, be referred to the said Committee.

Petition of divers
Lumber Merchants,
referred.

On motion of Mr. *Cameron*, seconded by Mr. *Black*,

Ordered—That the Petition of divers Lumber Merchants, presented
to the House on the 21st of *June* last, be referred to the Select Commit-
tee to which was referred the Bill to regulate the inspection and measure-
ment of timber, masts, spars, deals, staves, and other articles of a like na-
ture, in the Ports of *Quebec* and *Montreal*, and for other purposes relative
to the same.

The Honorable *S. B. Harrison* presented, pursuant to an Address to His Excellency, the Governor General, of the 1st instant, a copy of all correspondence between Her Majesty's Ministers and the Governor General, in relation to any alteration in the scale of duties upon the importation into *Great Britain* of Foreign and Colonial Timber, or either.

An answer to address of 1st inst., correspondence on Timber duties, presented.

For the said correspondence, see Appendix (H.)

The Honorable *S. B. Harrison*, one of Her Majesty's Executive Council, delivered to Mr. Speaker a Message from His Excellency, the Governor General, signed by His Excellency.

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered, and is as followeth :—

SYDENHAM.

In conformity with the intention expressed in his Speech at the opening of the Session, the Governor General transmits herewith to the House of Assembly the copy of a Despatch from Lord *John Russell*, explaining the views of Her Majesty's Government on several of the most important subjects connected with Canada.

Message from His Exclty. the Gov. Gen. with despatch from Lord John Russell.

Government House, }
Kingston, 14th July, 1841. }

No. 369.

DOWNING STREET, 3 MAY, 1841.

MY LORD,

The Despatches which I have received from you on the general state of the Province of *Canada*, the reports with which you have furnished me on several important subjects, and the approaching meeting of the Council and Assembly of the United Province, have induced me to explain to you, at this time, the views which Her Majesty's Government entertain on the topics most interesting to the welfare of *Canada*.

Despatch from Lord John Russel on subjects relating to Canada.

In any measures that may be adopted, it must be take for granted, that Her Majesty persists in the determination to maintain, at all hazards, Her Royal authority in *Canada*. Neither the honour of Her Majesty's Crown, nor the support due to Her Loyal subjects in *British North America*, nor the provident care of the interests of the Empire at large, would permit any deviation from this fixed principal of *British Policy*.

At the same time, Her Majesty's advisers are not insensible to the difficulties imposed upon them in carrying into execution the purpose of the Crown.

A Province bordered by an open frontier of more than a thousand miles, approached with ease at all times by the Citizens of a neighboring and powerful State, separated from *England*, not only by the Ocean, but by the rigours of climate and season, must be maintained by a judicious preparation for defence in time of peace, and vigorous exertion of the resources of the Empire in time of war; or not at all.—To trifle with the fortunes of men, whose lives and properties are freely devoted to the service of *England*, or to encourage foreign aggression by neglect or apathy, would be far worse than the spontaneous surrender of these important possessions of the Crown.

The *Canadians*, might, in such a case, incur no risk; no blood need be shed, and the treasures of the Empire might be spared. The other course would be cruel to a brave people, and unbecoming the character of the Country.

But as I have already said, we have no alternative. We have only to

Despatch from Lord John Russell on subjects relating to Canada.

consider the means of binding *Canada*, more firmly to this Country—of developing her resources—of strengthening her *British* population—of defending her territory, and of supporting, and encouraging the loyal spirit of the people.

In this spirit then, I shall touch upon the principal topics connected with these views.

1.—*Finance.*

You have stated the debt of the United Province, to amount to £1,226,000, and with the sum required to complete Public Works, necessary for the free passage between the *Western* portion of the Province, the *St. Lawrence*, and the sea, to about one million five hundred thousand pounds. *

The Queen's Government coincide in your views of the expediency of making such an arrangement as may employ the credit of this Country for the benefit of the finances of *Canada*, and have given their best consideration to the plan proposed in your Despatches. They are of opinion that such an arrangement, if it can be carried into effect with the consent of the creditors, would be, in every way, desirable; but they feel that the objections to a Bill compelling parties to receive payment of their money in breach of agreements entered into with them by competent authority, are insuperable.

Her Majesty's Government are ready to give any assistance in conformity with your proposal which does not appear to them inconsistent with good faith. They are ready to propose to Parliament to guarantee a loan, which may be required for Public Works (under the restrictions suggested by you) for the repayment of such part of the debt as may be now redeemable, or may be held by creditors, who shall declare themselves willing to accept reasonable terms.

With regard to this latter sum, it appears to the Government most expedient that you should fix such terms as you may consider sufficient to induce the creditors to accept the proposed equivalent (not of course exceeding £100, for every nominal, £100 lent); that you should make known such tender in such a way as may appear to you most advisable, giving the holders sufficient notice and information, and fixing a given day before which the willingness of the parties to accept such offer, should be sent in.

To do this, an Act of the *Canada* Legislature will be necessary, and when that is obtained, the subsequent arrangements might be made; or through some party deputed on the part of the *Canadas*, in this country, with full instructions.

It may perhaps be also expedient at the same time, by Law, to enable trustees, &c. to account as in cases where the interests of loans are received in this country.

Upon receiving the information of the assent of the parties accepting the terms proposed, the necessary means may be taken in this country, to raise the requisite funds, and it may be expedient that you should fix the day for the paying off such assenting creditors, and other claims, at a time when the Parliament of this country is sitting, for should it be necessary to have recourse to a loan, such a measure has always been considered open to objection during the prorogation of Parliament.

2.—*Defence.*

I have perused with great interest the enclosures in your Despatch of 24th *December*, 1840, containing reports from Lieut. General Sir *Richard Jackson*, and Col. *Oldfield*, the Commanding Officer of Engineers, on this subject.

* *Note.*—In addition to what can be raised by the Province.

The question is one of so much importance, that I was not satisfied with referring your Despatch to the Master General and Board of Ordnance, but I also asked the opinion of the Commander-in-Chief, and requested him to consult the Duke of *Wellington*, whose high authority on every military subject, is, in this instance, of peculiar weight, from the attention he has for many years given to this matter, both on political and on military grounds. Their opinions are transmitted with this Despatch.

Despatch from Lord John Russell on subjects relating to Canada.

Her Majesty's Government agree in opinion with Lord *Hill*, and Sir *Richard Jackson*, that "no dependence upon the decided superiority of our troops and arrangements made for defence, connected with them, should lead us to neglect the construction, and completion of permanent works calculated for the protection of the points of most importance to us."

They likewise concur in His Lordship's opinion that, in the event of the construction of these or any other works, a large effective regular force, and a militia, registered and enrolled, but not called from their Districts, except in case of invasion, will be indispensable.

But it cannot be reasonably expected that works on a large scale should be undertaken without reference to the great expense to be incurred.

I have therefore to inform you that the Government are prepared to state their opinion that, beyond the ordinary estimates of the year, £100,000, should yearly be applied for the defence of *Canada*. At present, this sum is nearly absorbed in the maintenance, of the militia and volunteers, but by a more economical plan, this expense might be greatly diminished, and a great portion of the sum of £100,000 left for the improvement of military communications, and the erection or repair of fortifications.

You will hear further from me on this point when I have more fully considered the various plans proposed.

3.—*Emigration.*

I have read with great interest your Despatches on this subject, and I agree with you in opinion that it would not be wise for this Country to engage to convey Emigrants to *Canada* at the Public Expense. But neither can I agree that this Country ought to pledge itself indefinitely to the expense of maintaining the Emigrants in *Canada* till they are able to obtain employment.

I quite concur, however, in the sense you entertain of the importance of the object.

It is a hardship to *Canada* that she should be obliged to maintain the Pauper Emigrants from the United Kingdom who arrive in a state of destitution and disease. But this object was formerly provided for by the imposition of the Emigrant Tax, and I think the renewal of this Tax should be recommended to the Legislature of *Canada*.

I have recommended to the treasury that the expense thus incurred by the Emigrant, should, in consideration of the great political advantages likely to flow from Emigration to *Canada*, be defrayed by this country.

Supposing a tax of 5s. a head, 32,000 Emigrants might be freed from the tax for £8,000. This is a sum which, I think, Parliament might be asked to vote for so important an object. The tax might then be paid in *Canada*, not by the Captain of the passenger ship, but by the Commissary General, on proper vouchers of the number of emigrants landed.

In this case, the only emigrants paid for must be those whose fitness for emigration had been previously attested by an Emigration Agent in this country.

The emigrant tax would then act as a check, and very properly so, on those who could not obtain the attestation required.

Despatch from Lord
John Russell on sub-
jects relating to Ca-
nada

I have now adverted to the three principal topics to which I have called the attention of the Queen's confidential servants. There are many others of great importance to the welfare of *Canada*, but upon which I am anxious to receive your reports before proceeding further.

Of this kind are the engagements of the Land Companies, and the future disposal of the Crown Lands. The means of communication for commercial purposes within the *British Territory* through the whole length of *Canada*, must always be a matter of the highest interest, both to *Canada* and to this country.

But it seems to me that, with a Legislature in *Canada*, disposed to co-operate with the Queen and the Parliament of the United Kingdom in developing her vast and unexplored resources, there is every hope that we shall behold the prosperity of that noble Province augment every year, and add more and more to the strength and stability of the Empire.

I have, &c.,

(Signed)

J. RUSSELL.

The LORD SYDENHAM, }
&c. &c. &c. }

1000 Copies of Mes-
sage to be printed

Mr. *Durand* moved, seconded by Mr. *Price*, that one thousand copies of His Excellency's Message of this day, one half in the *English* and one half in the *French* language, be printed for the use of the members of this House.

Mr. *Hamilton* moved in amendment, seconded by Mr. *Johnston*,

That the words "one thousand," in the said motion, be struck out, and the words "one hundred" substituted.

The question being put upon the motion of amendment, a division ensued, and it passed in the negative.

The question being then put upon the main motion, a division also ensued, and the names being called for, they were taken down as followeth:—

YEAS.

<i>Armstrong,</i>	<i>Derbshire,</i>	<i>McLean,</i>	<i>Ruel,</i>
<i>Baldwin,</i>	<i>Desrivieres,</i>	<i>Merritt,</i>	<i>Simpson,</i>
<i>Berthelot,</i>	<i>Draper, Hon. W.H.</i>	<i>Morin,</i>	<i>Smith, (Fron.)</i>
<i>Boswell,</i>	<i>Duggan,</i>	<i>Neilson,</i>	<i>Smith, (Went.)</i>
<i>Buchanan,</i>	<i>Durand,</i>	<i>Ogden, Hon. C. R.</i>	<i>Steele,</i>
<i>Cameron,</i>	<i>Foster,</i>	<i>Parent,</i>	<i>Taché,</i>
<i>Chesley,</i>	<i>Gilchrist,</i>	<i>Powell,</i>	<i>Turcotte,</i>
<i>Child,</i>	<i>Harrison, Hon. S.B.</i>	<i>Price,</i>	<i>Viger, Hon. D. B.</i>
<i>Christie,</i>	<i>Hincks,</i>	<i>Quesnel,</i>	<i>Woods,</i>
<i>Cook,</i>	<i>Killaly, Hon. H.H.</i>	<i>Raymond,</i>	<i>Yule.—42.</i>
<i>Daly, Hon. D.</i>	<i>MacNab, Sir A. N.</i>		

NOES.

<i>Aylwin,</i>	<i>Hale,</i>	<i>Moffatt, Hon. G.</i>	<i>Thompson,</i>
<i>Burnet,</i>	<i>Hamilton,</i>	<i>Moore,</i>	<i>Thorburn,</i>
<i>Campbell,</i>	<i>Johnston,</i>	<i>Prince,</i>	<i>Watts,</i>
<i>Crane,</i>	<i>McDonald, (Pres.)</i>	<i>Robertson,</i>	<i>Williams.—17.</i>
<i>Dunscumb,</i>			

So it was carried in the affirmative, and—
Ordered, accordingly.

The Honorable *D. Daly* presented, pursuant to an Address to His Excellency, the Governor General, of the 12th instant, a Report of the School Visitor, under the Ordinance 2 VIC. Cap. 43, in the County of *Beauharnois*.

Report of School Visitor presented.

For the said report, see Appendix (I.)

Mr. *Aylwin* moved, seconded by Mr. *Cameron*,

That 500 copies of the Return of the correspondence laid before the House this day, pursuant to the Address of this House of the 1st instant, be printed for the use of the members of this House.

Correspondence on timber dues to be printed.

The question being put upon the said motion, a division ensued, and it was carried in the affirmative.

Ordered, accordingly.

Resolved—That the Report of the School Visitor, under the Ordinance 2 VIC. Cap. 43, in the County of *Beauharnois*, laid before the House this day, be referred to a Committee of three members to report thereon with all convenient speed; with power to send for persons, papers and records.

Report of School Visitor referred to committee.

Ordered—That Mr. *Dunscomb*, the Honorable Mr. *Moffatt*, and Mr. *Morin*, do compose the said Committee.

Mr. *Merritt*, from the Select Committee to which were referred the Petitions of *Adam Stull* and *Peter Lampman*, of the Township of *Grantam*—of *John Decow*, and others, of the County of *Haldimand*, and of *John Kalar*, of the County of *Lincoln*, with power to report by Bill or otherwise, presented to the House the Report of the said Committee, which was again read at the Clerk's Table, as followeth:—

Committee on Petitions of Stull and Lampman, John Decow and others, and of John Kalar, presents report.

“ With reference to the Petition of *Adam Stull* and *Peter Lampman*, your Committee consider the petitioners as justly entitled to their claim; but as the application of the petitioners would involve the expenditure of public money, it cannot, under the provisions of the Act of Union, be acted upon by the Legislative Assembly, unless recommended by the Executive Government.

Report.

With respect to the petition of *John Decow*, and others, your Committee have carefully considered the prayer of the petitioners, and in compliance therewith have drafted a Bill to incorporate a Company to be called the “ Haldimand Glass Factory,” which they beg to submit for the adoption of your Honorable House; but as regards that part of the application of the Petitioners which relates to a pecuniary grant to assist the Company aforesaid, the Committee consider that it would be a precedent which would open a door to so many applications of a similar nature, that they cannot recommend that it be granted.”

Mr. *Merritt* then presented to the House a Bill to establish a Company to be called the “ Haldimand Glass Works Company,” which was read for the first time.

Haldimand Glass Company bill read.

Ordered—That the said Bill be read a second time on *Friday* next.

On motion of Mr. *Neilson*, seconded by Mr. *Parent*,

Ordered—That the order of the day for the House in Committee, to take into consideration the petition of *William Walker*, and other inhabitants of the City of *Quebec*, relating to the Timber Trade, lost by the adjournment of the House of yesterday, be revived, and that this House will, on to-morrow, resolve itself into the said Committee.

Order of day for committee of whole on petition of William Walker and others, revived.

On motion of Mr. *Prince*, seconded by Mr. *Price*,

Ordered—That the amendment made by the Legislative Council to the Bill intituled “ *An Act to permit Robert John Turner to practice as Solicitor in the Court of Chancery*,” be now taken into consideration.

House considers amendment made by Legislative Council to Turner's relief bill and agrees to the same.

The House proceeded accordingly to take the said amendment into consideration

And the said amendment was read, and is as followeth :--

“ Line 8—After the word “ Province,” leave out the word “ and” in 12 line. ”

And the said amendment being again read, it was agreed to by the House.

Ordered—That Mr. *Prince* do carry back the said Bill to the Legislative Council, and acquaint their Honors, that this House hath agreed to their amendment.

Bill to prevent failure of justice in undue elections, presented and read first time.

Ordered—That Sir *Allan McNab*, have leave to bring in a Bill for preventing any failure of justice in respect of complaints of undue elections or returns of members of the Legislative Assembly of this Province, at the last General Election.

He accordingly presented the said Bill to the House, and the same was read for the first time, and

Ordered—That the said Bill be read a second time on *Friday* next, and that it be then the first Order of the day.

Municipal Bill brought in.

Ordered—That the Honourable Mr. *Harrison* have leave to bring in a Bill to provide for the better internal Government of that part of this Province, heretofore *Upper Canada*, by the establishment of local or Municipal authorities therein.

He accordingly presented the said Bill to the House, and the same was read for the first time.

Ordered—That the said bill be read a second time on *Wednesday* next.

500 copies of foregoing bill to be printed.

The Honourable Mr. *Harrison* moved, seconded by the Honourable Mr. *Dunn*, that 500 copies of the said Bill be printed for the use of the members of this House.

Mr. *J. S. McDonald*, moved in amendment, second by Mr. *McLean*, that all the words in the said motion after “ that” be struck out, and the following substituted, “ 1000 copies of the said Bill in the *English*, and 200 copies in the *French* languages, be printed for the use of the members of this House.”

The question being put upon the motion of amendment, a division ensued, and it passed in the negative.

The question being then put on the main motion, a division also ensued, and it was carried in the affirmative.

Ordered, accordingly.

Address to be sent to His Excellency, for information in relation to address to Her Majesty on subject of introduction of products of this Province into British Ports free of duty, &c.

On motion of Mr. *Merritt*, seconded by Mr. *Thompson*,

Resolved—That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to inform this House what answer has been received from Her Majesty’s Government to the Address of the House of Assembly of *Upper Canada*, during the last Session, on the subject of the introduction of the products of this Province into the Ports of *Great Britain*, free from duty, and to invest the Legislature with power to originate and vary duties on products when admitted into the Ports of this Province.

Ordered—That the said Address be presented to His Excellency by such members of this House as are of the Honourable the Executive Council of this Province.

Bill to protect copy rights presented and read.

Ordered—That Mr. *Campbell* have leave to bring a Bill for the protection of Copy Rights in that part of the Province formerly constituting *Upper Canada*.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and—

Ordered—That the said Bill be read a second time on *Monday*, the *ninth* of *August* next.

On motion of Mr. *Duggan*, seconded by Mr. *Price*,

Resolved—That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House copies of all communications had between His Excellency and the Home Government, in reference to the locality of the Seat of Government of *Canada*, and any other information in relation to the same, that it may be in His Excellency's power to communicate.

Address to be sent to His Excellency for information in relation to seat of Government.

Ordered—That the said Address be presented to His Excellency by such members of this House as are of the Honorable the Executive Council of this Province.

On motion of Mr. *Small*, seconded by Mr. *Johnston*,

Resolved—That this House do now resolve itself into a Committee of the whole House to take into consideration the propriety of repealing or amending certain parts of an Act of the Parliament of the late Province of *Upper Canada*, entitled "*An Act to alter the mode of payment of wages to Members of the House of Assembly.*"

House to go into committee on payment of wages to members.

The House accordingly resolved itself into the said Committee.

Mr. *Williams* took the Chair of the Committee, and after some time spent there in,

Mr. *Speaker*, resumed the Chair,

And Mr. *Williams* reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Progress.

Ordered—That the said Committee have leave to sit again on *Friday* week.

Committee to sit again.

The Order of the day for taking into consideration a motion made by Mr. *Prince*, on *Monday* the 28th of *June* last, viz: "That the grounds and reasons of complaint set forth in the petition of divers electors of the county of *St. Maurice*, if true, are sufficient to make void the election of *Joseph Edouard Turcotte*, Esquire," being read,

House proceeds to consider the motion of Mr Prince on the Saint Maurice election.

The House proceeded accordingly to take the said motion into consideration, and the said motion being again read, and the question being put thereon, it was agreed to by the House and,

Resolved accordingly.

Resolved—That *Monday*, the second day of *August*, at 11 o'clock A. M., be assigned for taking into consideration the petition of divers electors of the county of *St. Maurice*, complaining of the undue election of *Joseph Edouard Turcotte*, Esquire.

Time fixed for trial of Saint Maurice contested election.

Mr. *Prince* moved, seconded by Mr. *Black*, that the Prothonotary of the Court of King's Bench, for the District of *Three Rivers*, be enjoined to transmit forthwith, under cover to the Clerk of the House, the Poll Book for the last election of the county of *St. Maurice*, and all the papers relating thereto.

Poll Book to be transmitted to the Clerk of the House.

The question having been put upon the said motion, a division ensued, and it was carried in the affirmative, and,

Resolved accordingly.

The Order of the day for the House in Committee on the first report of the Special Committee appointed to enquire what assistance it will be necessary to afford to the Clerk, and what offices and departments it will be expedient to establish for the effective and orderly conduct of the business of this House, being read,

House in committee on 1st report on clerk's office.

The House accordingly resolved itself into the said Committee, Mr. *Dunscomb* took the chair of the Committee. Several Members having retired, Mr. Speaker resumed the chair, And the names of the Members present were taken down as followeth:—

Mr. Speaker.

Mr. *Baldwin*, Mr. *Black* Mr. *Boutillier*, Mr. Attorney General *Draper*, Mr. *Dunscomb*, Mr. *Durand*, Mr. *Gilchrist*, the Honourable Mr. *Harrison*, the Honourable Mr. *Killaly*, Sir *Allan McNab*, the Honourable Mr. *Moffatt*, Mr. *Morin*, Mr. *Raymond*, Mr. *Simpson*, and the Honourable Mr. *Viger*.

And at 11 o'clock at night, Mr. Speaker adjourned the House for want of a quorum.

Jovis, 15^o die Julii ;

Anno 5^o Victoriae Reginae, 1841.

- Mr. Parke takes his seat. *Thomas Parke*, Esquire Member for the county of *Middlesex*, having previously taken the oath according to law, and subscribed before the Commissioners the roll containing the same, took this seat in the House.
- Petitions brought up. The following petitions were severally brought up, and laid on the table :
- Pierre Beaubien and others. By Mr. *Quesnel*, the petition of *Pierre Beaubien*, and others, Members of the Mutual Fire Insurance Company of *Montreal*.
- Hon John G Thompson and others. By Mr. *Hamilton*, the petition of the Honourable *John G. Thompson*, and others, Inhabitants of *New Carlisle*, in the District of *Gaspé*.
- Norval Wait and others. By Mr. *Small*, the petition of *Norval Wait*, and others, Jurors of the District Court of the *Home* District.
- F. Laroche and others. By Mr. *Aylwin*, the petition of *F. Laroche*, and others, inhabitants of the late Province of *Lower Canada*.
- J. W. Keating and others. By Mr. *Cameron*, the petition of *J. W. Keating*, and others inhabitants of the *Northern* townships, in the *Western* District.
- Petitions read Pursuant, to the Order of the day the following petitions were read :
- Of Board of Trade Montreal. Of the Board of Trade of *Montreal* respecting Bankrupt Law, and praying certain amendments to the said Bankrupt Law—Of the Board of Trade of *Montreal* respecting Real Estate, and praying that no mortgage shall be binding until it is enregistered in a Public Office.
- Ditto (2). Of *Andrew Patton* of *Stanstead*, praying for an increase of salary, as land waiter at that Port.
- Of Henry Trout and others. Of *Henry Trout* and others, inhabitants of the townships of *Asphodel*, and *Dunmer*, praying for a grant of Money to construct a road in the township of *Asphodel*.
- Of M. Townsend and others. Of *M. Townsend*, and others inhabitants of *Foucault*, *Noyan*, and other places, praying for a grant of £500, to built a Bridge over the *South River*.
- Of Henry Douthitt. Of *Henry Douthitt*, of *Port Colborne*, praying to be naturalized.
- Of John Montgomery and others. Of *John Montgomery*, and others, inhabitants of the township of *Roxborough*, praying for the opening of a road through that township.
- Of G. P. Kirby and others. Of *George P. Kirby*, and other inhabitants of the county of *Kent*, praying that *John Jenner* be authorized to build a mill on the River *Thames*.

Of *James Adams*, and other inhabitants of the township of *Oro*, praying for the establishment of Districts Councils.

Of *J. Adams* and others.

Of *Henry Jessop*, of the City of *Toronto*, praying to be admitted to practice as an attorney of the Court of Queen's Bench.

Of *H. Jessop*.

Of the Corporation of the City of *Montreal*, praying to be authorized to pay a greater rate of interest than six per cent to obtain loans of Money.

Of Corporation of *Montreal*.

Of the *North American*, Colonial Association of *Ireland*, praying to be authorized to loan Moneys to the District Council for the construction of roads, &c., in the county of *Beauharnois*.

Of *North American Colonial Association* of *Ireland*.

Of the President Directors and Company of the Bank of *Upper Canada*, praying for an increase of capital, and to have its operations extended to the whole Province.

Of President and Directors, Bank of *Upper Canada*.

Of *George P. Ridout*, of the City of *Toronto*, praying for an Act to equalize the currency of the United Provinces, and that a more equitable value be affixed to the current coins.

Of *G. P. Ridout*, respecting the currency.

Of *George P. Ridout*, of the City of *Toronto*, praying for an Act to repeal part of the Law respecting Interest of Money.

Of *G. P. Ridout*, respecting Usury Law.

Of *George P. Ridout*, of the City of *Toronto*, praying the repeal of certain clauses in the Acts or Ordinances providing for the inspection of Flour and Meal, Pork and Beef, &c.

Of *G. P. Ridout*, respecting inspection of produce.

Of *George P. Ridout*, of the City of *Toronto*, praying that this House will make such representations to the Imperial Parliament as in its wisdom it may deem expedient, respecting proposed alterations in the Timber duties.

Of *G. P. Ridout*, respecting timber duties.

On motion of the Honourable Mr. *Moffatt*, seconded by Mr. *Buchanan*,

Petitions referred.

Ordered—That the Petition of the Board of Trade of *Montreal*, respecting Inspectors of pork and beef, flour, ashes, &c., be referred to the Committee of the whole House, to take into consideration the expediency of allowing the exportation from this Province of flour and meal, pot and pearl ashes, and beef, and pork, without inspection, and of amending and consolidating the laws now in force in this Province in relation to the inspection of the said commodities.

Of Board of Trade of *Montreal*.

On motion of Mr. *Buchanan*, seconded by Mr. *Hale*,

Ordered—That the Petition of *George P. Ridout*, of the City of *Toronto*, respecting the inspection of flour and meal, pork and beef, &c., be referred to the said Committee.

Of *G. P. Ridout*, respecting inspection of produce.

Ordered—That the Petition of *George P. Ridout*, of the City of *Toronto*, respecting the timber duties, be referred to the committee of the whole House, to take into consideration the Petition of *William Walker*, and other inhabitants of the City of *Quebec*, relating to the timber Trade.

Of *G. P. Ridout*, respecting timber duties.

Ordered—That the Petition of the President Directors and Company of the Bank of *Upper Canada* for an increase of capital, and to have its operations extended to the whole Province; and the two Petitions of *George P. Ridout*, of the City of *Toronto*, on the currency and usury laws, be referred to the select committee on currency and banking.

Of President and Directors of Bank of *Upper Canada*

Of *G. P. Ridout*, respecting currency.
Of *G. P. Ridout*, respecting Usury Laws.

The Honourable *S. B. Harrison*, one of Her Majesty's Executive Council, delivered to Mr. Speaker three Messages from His Excellency the Governor General, signed by His Excellency.

Messages from His Excellency.

And the said Messages were read by Mr. Speaker, all the members of the House being uncovered, and are as followeth:—

SYDENHAM,

With Letters Patent
calling R. Baldwin,
Esq. to the Executive
Council

The Governor General transmits to the House of Assembly, in answer to their Address of the 13th instant, a copy of the Letters Patent under the Great Seal of the Province, appointing *Robert Baldwin*, Esquire, a member of the Executive Council; and informs the House that Mr. *Baldwin* was sworn in on the 17th *May* last.

Letter Patent calling
R. Baldwin Esq. to
Executive Council

SYDENHAM.

PROVINCE OF }
CANADA. }

Letters Patent, appointing ROBT.
BALDWIN, Esq. a member of Her
Majesty's Executive Council.

FIAT.

Recorded in the Register's Office
of the Records at Québec, the 15th
day of February, 1841, in the six-
teenth Register of Letters Patent and
Commissions

VICTORIA, by the Grace of God, of the United
Kingdom of *Great Britain and Ireland*, QUEEN,
Defender of the Faith.

To all to whom these presents shall come, or
whom the same may concern.

GREETING :

KNOW YE that WE, being well satisfied of
the Loyalty, Integrity, and ability of Our trusty
and well beloved, ROBERT BALDWIN, of Our City
of *Toronto*, Esquire, have thought fit to admit and appoint, and by these
presents do admit and appoint him, the said Robert Baldwin, to be one of
the members of Our EXECUTIVE COUNCIL, for the affairs of Our said Pro-
vince of CANADA, and after he shall have taken the oaths in that behalf by
law required, to take his seat in Our said Council, next after William
Henry Draper, Esquire. TO HAVE AND TO HOLD to him, the said Robert
Baldwin, the said office of member of Our said Council, of Our said Pro-
vince, with all and singular the rights, privileges, and profits, thereunto
appertaining, or in any wise belonging for and during Our Royal pleasure.

IN TESTIMONY whereof, We have caused these Our Letters to be
made Patent, and the Great Seal of Our said Province of Cana-
da to be hereunto affixed.

Witness Our Right Trusty and well Beloved, the Right Honorable
CHARLES BARON SYDENHAM, of Sydenham, in the County of
Kent, and of *Toronto* in Canada, one of Our Most Honorable
Privy Council, Governor General of British North America, and
Captain General and Governor in Chief in and over Our Pro-
vinces of Canada, Nova Scotia, New Brunswick, and the Island
of Prince Edward, and Vice Admiral of the same.

At Our Government House in Our City of Montreal, in Our said
Province of Canada, the thirteenth day of February, in the year
of Our Lord one thousand eight hundred and forty one, and in
the fourth year of Our Reign.

D. DALY,

Secretary.

Registrar's Office, Kingston, }
15th July, 1841. }

I do hereby certify that the foregoing is a correct and true copy of
the original appointment, with which it has been carefully collated by me.

R. A. TUCKER,

Registrar.

SYDENHAM,

Message announcing
issue of Warrant for
contingencies

In conformity with the request of the House of Assembly, the Gov-
ernor General has directed a warrant to be issued in favor of the Speaker
of that House, for the sum of Five Thousand Pounds, to be applied in

liquidation of the Contingent Expenses due by the Legislature of the late Province of *Upper Canada*, and towards the payment of the contingencies of the House during the present Session, and the Governor General will be prepared to recommend this grant to the Legislature, in conformity with the provisions of the Imperial Act of Union.

Government House, }
Kingston, 15th July, 1841. }

SYDENHAM,

In answer to their Address of the 13th instant, the Governor General informs the House of Assembly, that he proposes to submit to them, in the course of a short time, a general measure on the subject of the Public Works in the Province; and he assures the House that no delay will arise on his part, so soon as he is in a situation to do so.

Message on Public Works.

Government House, }
Kingston, 15th July, 1841. }

The Honourable *S. B. Harrison* presented, pursuant to an address of the House of Assembly, of the 29th April, 1839, statements relating to the expenditure of King's College; and *Upper Canada* College.

Accounts of King's and Upper Canada College presented.

For the said Statement, see Appendix (J.)

And also papers pursuant to the 24th Clause of an Act promulgated the 17th May, 1838, entitled "*An Act to provide for the disposal of public Lands in this Province.*"

Papers respecting sale of public lands presented.

For the said Papers, see Appendix (K.)

The Honourable Mr. *Moffatt*, from the Special Committee, to which was referred the Petition of the members of the *Montreal* Ladies Benevolent Institution, with power to report by Bill or otherwise, presented to the House a Bill to incorporate the Ladies Benevolent Society of *Montreal*, which was received and read the first time.

Committee on petition of Montreal Ladies Benevolent Society reports bill.

Bill to incorporate Montreal Ladies Benevolent Society read 1st time.

Ordered—That the said Bill be read a second time on *Monday* next.

2nd reading Monday.

Mr. *Thompson*, from the Special Committee to which was referred the Petition of divers Inhabitants of the *Grand River* Lands in the county of *Haldimand* in the district of *Niagara*, and other adjacent places in the District of *Gore*, with power to report by Bill or otherwise, presented to the House a Bill to incorporate certain persons under the title of the "*Caledonia* Bridge Company," which was received and read for the first time.

Committee on pet. of inhabitants of Grand River Lands report Bill.

Caledonia Bridge Co. Bill read 1st time.

Ordered—That the said Bill be read a second time on this day week.

2nd. reading this day week.

Mr. *Thorburn* from the Special Committee on the contingent accounts and expenses of the present Session, with power to report from time to time, presented to the House the first report of the said Committee; which was again read at the Clerk's table as followeth:

Committee on contingent accounts report.

Your Committee have examined the accounts submitted to them by the Clerk of the House of Assembly of the late Province of *Upper Canada*, a statement of which they have appended hereto, and recommend that the several sums be paid in conformity thereto, out of the moneys now in the hands of Mr. Speaker, agreeably to the resolution of the Legislative Assembly in their address to His Excellency, the Governor General.

Report.

Statement of claims upon the late House of Assembly of *Upper Canada*, up to the 13th day of *June*, 1841, inclusive, submitted by the late Clerk of said Assembly.

	£	s.	D.
James Fitzgibbon, Esq., his salary from 1st January, 1840, to 9th June, 1841, both days inclusive, a £200 per annum.....	257	13	5

Statement of Claims, &c.—Continued.

Statement of claims.
against the House of
Assembly of the late
Province of Upper Ca-
nada.

	£	s.	D.
Brought over.....	287	13	5
William P. Patrick, Chief Copying Clerk, balance of salary, a £300 per annum.....	224	3	6 $\frac{3}{4}$
David Jardine, Copying Clerk, balance of work done in the office.....	91	5	0
William Coates, do. do.....	135	10	0
Alfred Patrick, do. do.....	134	1	8
Thomas Vaux, do. balance of salary, a £200 per annum.....	196	19	1
Alfred Todd, do. balance of work done in the office.....	134	18	4
Thaddeus Patrick, do. do.....	153	15	0
Charles Fitzgibbon, do. do.....	129	16	8
Henry Stuart, do. do.....	55	10	0
Henry Hartney, do. do.....	51	13	4
Andrew Stuart, do. do.....	44	0	0
Æneas Bell, Chief Messenger, balance of wages.....	63	8	9
King Barton, Office do.....	21	0	0
Michael M'Carthy, wood sawyer and labourer.....	10	16	3
Messrs. Rowsell, stationers.....	69	9	3
Richard Brewer, Binder, balance of account.....	204	13	4
Robert Stanton, Printer, do.....	476	13	2
* William C. Coates, Printer, do.....	613	5	3
Hugh Scobie, Printer do.....	64	11	6 $\frac{1}{2}$
Messrs. Rogers, and Thompson, do. do.....	127	17	4
Messrs. Eastwood, and Skinner, Paper Makers do.....	190	18	1 $\frac{1}{2}$
John E. Brayley, Carpenter, do.....	115	10	3
Francis Thomas, Whitesmith, do.....	4	2	0
William Musson, Tinsmith do.....	2	19	1
Joseph Brown, account for wood.....	37	16	3
Richard Tinning, do.....	12	10	0
Archibald M'Donald, Forwarder.....	3	13	4
Charles Berczy, Esq., Post Master, Toronto, balance of account.....	130	2	4 $\frac{1}{2}$
Anthony Manahan, Esq., paid by him for packages....	1	2	6
Michael M'Carthy, Watchman of the Parliament Buildings, by order of Executive Council, from 2nd July, 1840 to 8th June, 1841, inclusive, a 5s. per night..	85	15	0
Allowance to the Clerk of one per cent on £5,432 10s. 3 $\frac{1}{2}$ d., disbursed by him.....	54	6	6
Amount overpaid by the Clerk beyond the estimates of the last Session and other sums in his hand, £92 14s. 7 $\frac{3}{4}$ d. less £14 1s. 1d., overpaid Thomas Dalton, Printer.....	78	13	6 $\frac{3}{4}$
Amount carried up.....	£4,008	9	11

* This account as rendered is not according to the contract; it was returned to Mr. Coates in *Toronto*, to be corrected, but on the following day it was again sent in without alteration.

JAMES FITZGIBBON,
Clerk of Assembly.

Statement of Claims, &c.—Continued.

	£	s.	d.
Amount brought up.....	4,008	9	11
Sum paid by Mr. Thorburn.....	1	5	0
	£ 4,009	14	11
* This sum to be further considered.....	613	5	3
	£ 3,396	9	8

Ordered—That the said Report be referred to a committee of the whole House to-morrow.

Report referred to Com. of whole to-morrow.

Mr. *Aylwin*, Chairman of the select Committee appointed in accordance with the statute, to try the merits of the Petitions, of *Benjamin Ham*, of the township of *Ernest-town*, and *David Roblin* and others, freeholders of the incorporated counties of *Lennox* and *Addington*, in the *Midland District*, complaining of the undue election and return of *John Solomon Cartwright*, Esq., as a Member to represent the said Incorporated counties, presented the final report of the said Committee, which is as follows :

Committee on pet's of B. Ham, and D. Roblin and others, report.

The Committee of your Honourable House, appointed to try the contested Election for the incorporated counties of *Lennox* and *Addington*, has the honour to report the following resolutions :—

Report of Committee on Lennox and Addington election.

Resolved—That the evidence adduced in support of the charges against the Returning Officer is not sufficient to avoid the last election and Return for the Incorporated Counties of *Lennox* and *Addington*.

Resolved—That although the allegations against the conduct of the Returning Officer contained in the Petition are not sufficiently proved to avoid the election, yet it is the opinion of this Committee that the conduct of the said Returning Officer was highly reprehensible.

Resolved—That treating, on the part of the sitting member, at the late Election for the Incorporated counties of *Lennox* and *Addington*, was proved, but that it is not, in the opinion of the Committee, a legal ground for avoiding the election under the laws in force in that part of this Province heretofore *Upper Canada*.

Resolved—That it does not appear to this committee that the sitting member has, by himself or his authorized agents, been guilty of bribery.

Resolved—That the Petitions were not frivolous or vexatious.

Resolved—That the defence of the sitting member was not frivolous or vexatious.

All which is respectfully submitted.

T. C. AYLWIN,
Chairman.

Committee Room, Legislative }
Assembly, this 15th day }
July, 1841. }

Ordered—That Mr. *Aylwin*, have leave to absent himself from this House until the 5th day of *August* next, on urgent private business.

Leave of absence to Mr. Aylwin.

Ordered—That Mr. *Campbell* have leave to absent himself from this House until the Return of the Commission on the *Niagara* contested election.

Leave of absence to Mr. Campbell.

Ordered—That Mr. *Hopkins* have leave to absent himself from this House during the space of 10 days, in consequence of ill-health.

Leave of absence to Mr. Hopkins.

Motion for summons to J. E. F. de Carufel, to give evidence on St Maurice election.

Mr. *Prince* moved, seconded by Mr. *Cameron*, That Mr. Speaker do issue his summons to *Joseph Eustache Sicard de Carufel*, Esquire who was returning officer at the late election for the county of *St Maurice*, to attend and give evidence at the Bar of this House, on *Monday* the 2nd day of *August* next, at noon, on the trial of the controverted election for that county.

Lost.

The question having been put upon the said motion, a division ensued and it passed in the Negative.

Clerk of Crown in Chancery to furnish pet'rs agt. with copy of poll book at Niagara election.

Mr. *Small* moved, seconded by Mr. *Hincks*, That the Clerk of the Crown in Chancery do furnish to the agent for the Petitioners complaining of the undue election and return of *E. C. Campbell*, Esquire, to represent the town of *Niagara*, a certified copy of the Poll Book in his possession, taken at the last election for the said Town of *Niagara*, and that the Commissioners appointed to take the examination of witnesses in the said matter be permitted to receive the same in lieu of the original Poll Book.

And Commissioners to receive the same in lieu of original.

The question having been put upon the said motion, a division ensued, and it was carried in the affirmative.

Resolved accordingly.

Return of Ottawa Timber duties to be printed.

On motion of Mr. *Derbshire*, seconded by Mr. Attorney General *Ogden*,

Ordered—That the return of the amount of duties levied at *Bytown*, upon timber floated down the River *Ottawa*, for the last 5 years, laid before this House on the 12th Instant, be printed for the use of the members of this House.

Message sent to Leg. Com. for leave to Messrs. Caron and Fraser to attend Com.

Resolved—That a Message be sent to the Honourable the Legislative Council, praying their Honours will permit the Honourable *Réné Edouard Caron*, and *John Frazer*, two of their members, to attend the Select Committee of this House to which is referred the petition of *John William Woolsey*, Esquire, and others, of the City of *Quebec*, praying to be restored to their electoral Franchise, on *Saturday* next at two o'clock in the forenoon, to be examined on the subject of the said reference.

Ordered—That Mr. *Burnett* do carry the said Message to the Legislative Council.

Parties to St. Maurice contested election to present list of witnesses before 21th July.

On motion of Mr. *Prince*, seconded by Mr. *Thorburn*.

Ordered—That the Petitioners against the late election for the county of *St. Maurice*, and also the sitting member, do deliver to the Clerk of this House, on or before the 24th day of *July* Instant, a list of the witnesses whom they mean to produce on the trial of the said controverted election.

Committee of whole on common schools on Tuesday next.

On motion of Mr. Solicitor General *Day*, seconded by the Honourable Mr. *Harrison*,

Resolved—That this House will, on *Tuesday* next, resolve itself into a Committee of the whole House to take into consideration the expediency of repealing certain Laws relating to the establishment and maintenance of Common Schools in the late Province of *Upper Canada*, and of making provision for the establishing and maintenance of Common Schools in this Province.

Committee of whole on periodical census, on Wednesday next.

Resolved—That this House will, on *Wednesday* next, resolve itself into a Committee of the whole House to take into consideration the expediency of making provision for taking a periodical census of the inhabitants of this Province, and obtaining other statistical information.

On motion of Mr. *Baldwin*, seconded by Mr. *Aylwin*,

Resolved—That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House a copy of any paper purporting to be an acceptance, or notice, or intimation of the acceptance, by *Robert Baldwin*, Esquire, a member of this House, of the office of Executive Councillor of this Province; and also, copies of any warrants that may have issued for the payment to the said *Robert Baldwin* of his salary as such Executive Councillor.

Address to His Exc'y. for copy of acceptance by R. Baldwin Esq of office of Executive Councillor, &c. Ordered.

Ordered—That the said Address be presented to His Excellency by such members of this House as are of the Honourable the Executive Council of this Province.

On motion of Mr. *Johnston*, seconded by Mr. *Derbshire*,

Resolved—That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be laid before this House a return of all duties collected on timber in the *Ottawa* District since 1835.

Address to His Excellency for return of Ottawa timber duties since 1835 Ordered.

Ordered—That the said Address be presented to His Excellency by such members of this House as are of the Honourable the Executive Council of this Province.

The order of the day for the House in Committee on the first report of the Special Committee, appointed to enquire what assistance it will be necessary to afford to the Clerk, and what offices and departments it will be expedient to establish for the effective and orderly conduct of the business of this House, being read,

House in Committee on 1st. Report on Clerk's Office.

The House accordingly resolved itself into the said Committee.

Mr. *Williams* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair,

And Mr. *Williams* reported, that the Committee had come to several Resolutions, which he was directed to submit to the House whenever it shall be pleased to receive the same; and, also, that he was directed by the committee to move for leave to sit again.

Resolutions reported.

Progress.

Ordered—That the report be received to-morrow.

Report to be received to-morrow.

Ordered—That the said Committee have leave to sit again on *Monday* next.

Committee to sit again on Monday.

The order of the day for the House in Committee to take into consideration the expediency of allowing the exportation from this Province of flour and meal, pot and pearl ashes, and beef and pork, without inspection, and of amending and consolidating the laws now in force in this Province, in relation to the inspection of the said commodities, and other references, being read,

Order for Committee of whole on inspection Laws postponed.

Ordered—That the said order of the day be postponed until *Monday*, the 26th instant.

A Bill to secure to, and confer upon, *Jacques Alexandre Tailhades*, an inhabitant of this Province, the civil and political rights of a natural born *British* subject, was, according to order, read a second time.

Bill to naturalize J. A. Tailhades read 2nd time.

A Bill to repeal the laws now in force in that part of this Province formerly called *Upper Canada*, for the recovery of small debts, and to make other provisions therefor, was, according to order, read a second time.

Bill for recovery of small debts read 2nd. time.

Ordered—That the said Bill be referred to a Committee of the whole House on *Tuesday* next.

Bill to amend Act for payment of claims read 2nd. time.

A Bill to amend and enlarge an Act of the Legislature of the late Province of *Upper Canada*, entitled "*An Act to ascertain and provide for the payment of all just claims arising from the late Rebellion and Invasions of this Province*," was, according to order, read a second time.

Ordered—That the said Bill be now referred to a Committee of the whole House.

House in Committee on above Bill.

The House accordingly resolved itself into the said Committee.

Mr. *Watts* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Progress.

And Mr. *Watts* reported, that the Committee had made some progress, and had directed him to move for leave to sit again.

Leave granted to sit again.

Ordered—That the said Committee have leave to sit again on *Wednesday* next.

Boards of Works Bill read 2nd time.

A Bill to repeal certain Ordinances therein mentioned, and to establish a Board of Works in this Province, was, according to order, read a second time.

Ordered—That the said Bill be referred to a Committee of the whole House on *Tuesday* next.

House in Committee on subject of warehousing goods.

The order of the day, for the House in Committee, to consider the expediency of introducing measures for the warehousing and bonding of goods in the several free warehousing Ports of this Province, being read,

The House accordingly resolved itself into the said Committee.

Mr. *D. McDonald* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Resolutions reported.

And Mr. *D. McDonald* reported, that the Committee had come to several Resolutions, which Resolutions were again read at the Clerk's table as followeth:—

1st Resolution.

Resolved—That the benefits intended to be conveyed to this Province by the provisions contained in an Act passed in the Imperial Parliament in the 3d and 4th years of His late Majesty's Reign (*WILLIAM IV. Cap. 59*) intitled "*An Act to regulate the trade of the British Possessions abroad*," are not at present fully enjoyed by the Trade of this Province.

2nd. Resolution.

Resolved—That it is expedient that measures should be taken to extend to this Province the provisions of an Act passed by the Imperial Parliament in the 3d and 4th year of His late Majesty's Reign (*WILLIAM IV. Cap. 59*) relating to the warehousing of goods in the several free warehousing Ports of this Province named therein.

Motion for question of concurrence to be put.

Mr. *Dunscomb* moved, seconded by the Honourable Mr. *Moffatt*, That the question of concurrence be now separately put upon the said Resolutions.

Motion to defer consideration thereof.

Mr. *Johnston* moved, seconded by Mr. *Parent*, That the consideration of the said motion be postponed until tomorrow.

Lost.

The question having been put upon this motion, a division ensued, and it passed in the negative.

Resolutions concurred in.

The question being then put upon the main motion, it was agreed to, And the said Resolutions being again severally read, and the question of concurrence being separately put thereon, they were agreed to by the House.

Bill to be drafted thereon.

Ordered—That Mr. *Dunscomb* have leave to bring in a Bill to extend the benefit of the warehousing system, established by a certain Act of the Imperial Parliament, passed in the Session held in the 3d and 4th years of His late Majesty's Reign, to the duties imposed by Provincial Acts.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Bill respecting warehousing system reported and read first time.

Ordered—That the said Bill be read a second time on to-morrow week.

On motion of Mr. *Sherwood*, seconded by Mr. *Henry Smith*,

J. Givins, Esq. appointed Commissioner on Huron contested election, in place of G. Boomer.

Ordered—That *James Givins*, of the Town of *London*, Esquire, be appointed a Commissioner for taking evidence on the trial of the controverted election for the County of *Huron*, in the place of *George Boomer*, who has declined acting as a Commissioner for that purpose.

The Order of the day for the House in Committee, on the Bill for incorporating the *Canada Fire Assurance Company*, being read,

Orders of the day postponed.

Ordered—That the said Order of the day be postponed until to-morrow.

The Order of the day for the House in Committee, to take into consideration the expediency of granting a sum of money to purchase the private shares in the *Welland Canal*, being read,

Ordered—That the said Order of the day be postponed until to-morrow.

The Order of the day for the second reading of the Bill the better to provide for the freedom of elections throughout this Province, and for other purposes therein mentioned, being read,

Ordered—That the said Order of the day be postponed until to-morrow.

The Order of the day for the House in Committee to take into consideration the Petition of *William Walker*, and other Inhabitants of the City of *Quebec*, relating to the Timber Trade, being read,

Ordered—That the said Order of the day be postponed until to-morrow.

Then on motion of Mr. *Johnston*, seconded by the Honourable Mr. *Moffatt*,

The House adjourned.

Veneris, 16^o die Julii;

Anno 5^o *Victoriæ Reginae, 1841.*

The following Petitions were severally brought up and laid on the table:—

Petitions brought up.

By Mr. *Christie*, the Petition of *Philip Aubert de Gaspé*, late Sheriff of the District of *Quebec*.

P. A. de Gaspé.

By Mr. *Prince*, the Petition of *John C. Hendershot* and others, inhabitants of the townships of *Mersea* and *Gosfield*, and the Petition of *John Midcalf* of *Kingston*.

J. C. Hendershot and others.

J. Midcalf.

On motion of Mr. *Merritt*, seconded by Mr. *Johnston*,

Ordered—That the select Committee appointed to try and determine the merits of the Petition of *T. Parker* and others, of the county of *Hastings*, in the district of *Victoria*, complaining of the undue Election and Return of *Robert Baldwin*, Esquire, as a member to represent the county of *Hastings* in the Present Parliament, have leave to adjourn until *Thursday* next, at 9 o'clock, a. m.

Com. on Pet. of T. Parker and others, have leave to adjourn.

Petitions read.

Divers inhabitants of Douro.

Of H. Keating.

Of M. Healey and others.

Bishop of Montreal and others.

Petition of H. Jessop referred.

Petition of the Corporation of Montreal referred.

Committee on petition of Reverend W Ryerson and others report Bill.

Victoria College Bill read first time.

Appointment of J Givins as Commissioner on Huron contested election rescinded, and W. Fitzgerald substituted.

House to adjourn till Monday.

Motion to discharge petition of divers freeholders of Bonaventure.

Pursuant to the Order of the day, the following Petitions were read :
Of divers inhabitants of the township of *Douro*, praying for a grant of £70, to repair a road in their township.

Of *Horace Keating* and others, praying for a grant of £500 to improve the water communication from that part of the *Holland River* called *Lower Landing*, to *Gwillimsbury East*.

Of *Michael Healey* and others, of the township of *Adjala*, praying for a grant of money to construct a road leading to their township.

Of the Right Reverend the Bishop of *Montreal*, and others, of *Quebec*, praying for the establishment of schools, and for the general use of the Bible in the said schools.

Resolved—That the petition of *Henry Jessop*, of the City of *Toronto*, presented to the House on the 15th instant, be referred to a Committee of five members to examine the contents thereof and to report thereon with all convenient speed, by Bill or otherwise ; with power to send for persons papers and records.

Ordered—That Mr. *Prince*, Mr. Attorney General *Draper*, Mr. *Sherwood*, Mr. *Baldwin*, and Sir *Allan McNab*, do compose the said Committee.

Resolved—That the Petition of the Corporation of the City of *Montreal*, praying to be authorized to pay a greater rate of interest than 6 per cent to obtain loans of money, be referred to a committee of three members, to examine the contents thereof, and to report thereon with all convenient speed, by Bill or otherwise ; with power to send for persons, papers and records.

Ordered—That Mr. *Dunscumb*, the Honorable Mr. *Viger*, and Mr. *Holmes*, do compose the said committee.

Mr. *Boswell*, from the select committee to which was referred the Petition of the Reverend *William Ryerson*, and others, composing the Board of the *Upper Canada Academy*, with power to report by Bill or otherwise—presented to the House a Bill to incorporate the *Upper Canada Academy*, under the name and style of “ *Victoria College*,” which was received and read for the first time.

Ordered—That the said Bill be read a second time on *Wednesday* next.

On motion of Mr. *Prince*, seconded by Mr. *Sherwood*,

Ordered—That the order made yesterday for the appointment of *James Givins*, Esquire, to act as Commissioner for taking evidence in the Controverted Election for the County of *Huron*, be rescinded, and that *William Fitzgerald*, of the City of *Toronto*, Esquire, be appointed such Commissioner, in the stead of the said *James Givins*.

Ordered—That when this House doth adjourn, it will adjourn until *Monday* next.

Mr. *Prince* moved, seconded by Mr. *Thorburn*,
That the Petition of divers freeholders and inhabitants of the County of *Bonaventure*, complaining of the undue election and return of *John R. Hamilton*, Esquire, as a member of this House, be discharged.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth :—

YEAS.

Aylwin,
Black,
Boswell,

Buchanan,
Chesley,
Child,

Day, Hon. C.D. *Dunn, Hon. J. H.*
Delisle, *Dunscumb,*
Draper, Hon. W. H. *Duggan,*

Foster,	Killaly, Hon. H.H. Parke,	Steele,
Gilchrist,	McDonald, (Pres.) Powell,	Thorburn,
Harrison, Hon. S.B. McDonald, (Glen.) Prince,		Woods,
Hale,	Moffatt, Hon. G. Robertson,	Watts,
Holmes,	Moore, Simpson,	Williams,
Johnston,	Ogden, Hon. C. R. Smith, (Fron.)	Yule.—36.

NOES.

Armsrtong,	Christie,	Morin,	Ruel,
Baldwin,	Cook,	Neilson,	Small,
Barthe,	Desrivieres,	Noel,	Smith, (Went.)
Berthelot,	Durand,	Parent,	Sherwood,
Boutillier,	Hincks,	Price,	Thompson,
Burnet,	McNab, Sir A. N. Quesnel,	Turcotte,	Viger, Hon. D.B.
Cameron,	McLean,	Raymond,	(28).

So it was carried in the affirmative, and
Ordered, accordingly.

Carried.

On motion of Mr. *Delisle*, seconded by Mr. *Morin*,

Resolved—That this House will, on *Tuesday* next, resolve itself into a committee of the whole House, to consider the expediency of amending in part an Ordinance of the Special Council of the late Province of *Lower Canada*, 4th Vict., Cap. 42, intituled “ *An Ordinance to repeal in part, and to render permanent, as amended, a certain Ordinance therein mentioned relative to Taverns and Tavern Keepers, and to make further provision relative to the same subject.*”

House to go into Committee of whole on amending Ordinance respecting Taverns.

On motion of Mr. *Johnston*, seconded by Mr. *Duggan*,

Resolved—That this House will, on *Monday* next, resolve itself into a Committee of the whole House, to consider the expediency of amending the Road Act of the 50th Geo. 3, Cap. 1, of the late Province of *Upper Canada*.

House to go into Committee, on Monday, on amending Road Act of U. C.

On motion of Mr. *Black*, seconded by Mr. *J. S. McDonald*.

Ordered—That the Order of the day for the House in Committee on the Bill for incorporating the *Canada Fire Assurance Company*, be postponed until *Friday* next.

Order for House in Committee on Canada Fire Assurance Company Bill postponed.

On motion of Mr. *Baldwin*, seconded by Mr. *Durand*,

Ordered—That the Order of the day for the second reading of the Bill the better to provide for the freedom of elections throughout this Province, and for other purposes therein mentioned, be postponed until *Monday* next, and that it be then the first order of the day.

Order for 2nd. reading election Bill postponed

The Order of the day for the second reading of the Bill for preventing any failure of justice in respect of complaints of undue elections or returns of members of the Legislative Assembly of this Province at the last General Election, being read,

Order for 2nd. reading undue elections Bill read.

Captain *Steele* moved, seconded by Mr. *Williams*,

That the Order of the day be discharged, and that the said Bill be read a second time this day three months.

Motion to discharge the same.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken, as followeth:—

YEAS.

Daly, Hon. D.	Delisle,	Foster,	Hale,
Day, Hon. C. D.	Derbishire,	Harrison, Hon. S.B.	Holmes,

c c c

<i>Johnston,</i>	<i>Moore,</i>	<i>Robertson,</i>	<i>Williams,</i>
<i>Killaly, Hon. H. H.</i>	<i>Ogden, Hon. C. R.</i>	<i>Steele,</i>	<i>Yule.—19.</i>
<i>Moffatt, Hon. G.</i>	<i>Parke,</i>	<i>Watts,</i>	

NOES.

<i>Armstrong,</i>	<i>Child,</i>	<i>McLean,</i>	<i>Roblin,</i>
<i>Aylwin,</i>	<i>Christie,</i>	<i>Merritt,</i>	<i>Ruel,</i>
<i>Baldwin,</i>	<i>Cook,</i>	<i>Morin,</i>	<i>Smith, (Fron.)</i>
<i>Barthe,</i>	<i>Desrivieres,</i>	<i>Neilson,</i>	<i>Smith, (Went.)</i>
<i>Berthelot,</i>	<i>Duggan,</i>	<i>Noel,</i>	<i>Sherwood,</i>
<i>Boswell,</i>	<i>Durand,</i>	<i>Parent,</i>	<i>Strachan,</i>
<i>Boutillier,</i>	<i>Hincks,</i>	<i>Powell,</i>	<i>Thompson,</i>
<i>Buchanan,</i>	<i>MacNab, Sir A. N.</i>	<i>Price,</i>	<i>Thorburn,</i>
<i>Burnet,</i>	<i>McDonald, (Glen.)</i>	<i>Quesnel,</i>	<i>Turcotte,</i>
<i>Cartwright,</i>	<i>McDonald, (Pres.)</i>	<i>Raymond,</i>	<i>Viger, Hon. D. B.</i>
<i>Chesley,</i>			(41).

Lost

Bill read 2nd time

Amendment proposed.

So it passed in the negative.

The said Bill was then, according to order, read a second time.

Sir *Allan McNab* moved, seconded by Mr. *Aylwin*—That the said Bill be amended as follows:—

After “whereas” in the Preamble, strike out the remainder of the words in the said Bill, and insert “certain Acts of the Provincial Parliament of the late province of Lower Canada to regulate the trial of contested elections in that province were, by an Act of the said Provincial Parliament passed in the 4th year of the reign of His late Majesty King *William the Fourth*, continued until the *first* day of *May*, 1836, and thence until the end of of the then next Session of the Provincial Legislature, and no longer: And whereas after the said *first* day of *May* in the year aforesaid, the Provincial Parliament of the said Province was duly convened by Royal Proclamation on two several occasions at the City of *Quebec* in that Province, and on each of those occasions continued sitting for several days, and was on both occasions duly prorogued; on the first by the Representative of the Sovereign in person, and on the second by Royal Proclamation: And whereas as well in common parlance as in the published Journals of both Houses of the said Provincial Parliament, in one of the speeches from the Throne delivered to such Parliament, in the addresses of both Houses in reply to such speech, and in the official correspondence of the Secretary of State for the Colonies in reference to the proceedings at such meetings, the said meetings were called and spoken of as Sessions of the said Provincial Legislature: And whereas in consequence of the said Acts to regulate the trial of such contested elections not having been further continued by any legislative enactment made at either of the said meetings, such acts had, in the common estimation of the public, been looked upon and esteemed as having expired, and as being no longer in force at the time of the passing of the Act of the Imperial Parliament for suspending the constitution of the said Province of *Lower Canada*, and that consequently the said Acts were not continued by the provisions of the Act of the Imperial Parliament for re-uniting the Provinces of *Lower* and *Upper Canada*: And whereas in consequence of their having been no Act of the Provincial Parliament passed, nor any judgment given at either of the said meetings, it has been deemed by the Legislative Assembly of this Province, that the said meetings were not either of them Sessions of the Provincial Legislature within the meaning of the Legislative provision for continuing such Acts, and that consequently the same are in force at this day: And whereas during the present Session

“ divers Petitions have been presented to the Legislative Assembly of
 “ this Province alleging the occurrence of outrages of the most aggravated Amendment.
 “ and atrocious character at several of the late elections for places in
 “ that part of this Province heretofore composing the Province of *Lower*
 “ *Canada*, which outrages, if in truth committed, are not only most inju-
 “ rious to the peace of the country, but destructive of the character of
 “ the said Legislative Assembly as the representative of the people there-
 “ of: And whereas in consequence of the said generally received impres-
 “ sion entertained in the Lower part of this Province that the said Acts
 “ had expired and were no longer in force, many of the Petitions repre-
 “ senting such outrages, and complaining of undue Elections and Re-
 “ turns for such places have not been accompanied with all the formalities
 “ required by those Acts, nor have the Petitioners given that security for
 “ the prosecution of such Petitions which the provisions of the said Acts
 “ require: And whereas nothing is more important than that the fullest
 “ opportunity should at all times be afforded for the investigation of al-
 “ leged infractions of the freedom of Elections, such freedom being es-
 “ sential to the very being of Parliament: And whereas in these particu-
 “ lar instances especially, apart from their general public importance
 “ arising out of the character of the outrages alleged to have been com-
 “ mitted, it would be most unjust to visit upon the Petitioners the conse-
 “ quences of a misapprehension, into which it is but just to assume that
 “ they have been in a great measure led by the language of the different
 “ branches of the Legislature itself, as well as by that of the Imperial au-
 “ thorities themselves:—To prevent, therefore, as far as possible, the
 “ failure of justice in this behalf, and to afford those members of the Le-
 “ gislative Assembly whose Elections and Returns are contested in the
 “ said Petitions the opportunity justly due to them of vindicating,
 “ in the ordinary course of proceeding in the like cases, the legality of
 “ the means by which they have been returned to the seats which they
 “ hold in the said House: Be it enacted by the Queen's Most Excellent
 “ Majesty, by and with the advice and consent of the Legislative Council
 “ and of the Legislative Assembly of the Province of *Canada*, constituted
 “ and assembled by virtue of and under the authority of an Act passed in
 “ the Parliament of the United Kingdom of *Great Britain* and *Ireland*,
 “ intituled ‘ An Act to Re-unite the Provinces of *Upper* and *Lower Canada*,
 “ and for the Government of *Canada*;’ and it is hereby enacted by the
 “ authority of the same, that all Petitions which have been presented to
 “ the Legislative Assembly of this Province, complaining of undue Elec-
 “ tions and Returns, or either of them, for any of the Counties, Ridings,
 “ Cities, Towns, or Boroughs in that part of this Province heretofore
 “ composing the Province of *Lower Canada*, shall and may be proceeded
 “ with, tried and determined, as if all the forms required by the said Acts
 “ of the Provincial Parliament of the said Province of *Lower Canada* or
 “ any of them had been complied with, in respect of the same; Provided
 “ always that security for the prosecution of such Petitions respectively shall
 “ be first given within thirty days after the passing of this Act, or within
 “ such further time as the Legislative Assembly shall or may in their dis-
 “ cretion from time to time think fit to allow.”

The question being put upon the motion of amendment, (Mr. *Dunscumb*, member for the county of *Beauharnois*, having expressed a wish not to vote on the question, he was excused by the House from so doing.) Mr. Dunscumb excused from voting

A division then ensued, and the names being called for, they were taken down, as followeth:—

YEAS.

Armstrong,

Aylwin,

Baldwin,

Barthe,

<i>Berthelot,</i>	<i>Durand,</i>	<i>Parent,</i>	<i>Smith, (Fron.)</i>
<i>Boutillier,</i>	<i>Hincks,</i>	<i>Powell,</i>	<i>Smith, (Went.)</i>
<i>Buchanan,</i>	<i>MacNab, Sir A.N.</i>	<i>Price,</i>	<i>Sherwood,</i>
<i>Burnet,</i>	<i>McDonald, (Pres.)</i>	<i>Quesnel,</i>	<i>Strachan,</i>
<i>Child,</i>	<i>Merritt,</i>	<i>Raymond,</i>	<i>Thompson,</i>
<i>Christie,</i>	<i>Morin,</i>	<i>Roblin,</i>	<i>Thorburn,</i>
<i>Cook,</i>	<i>Neilson,</i>	<i>Ruel,</i>	<i>Turcotte,</i>
<i>Desrivieres,</i>	<i>Noel,</i>	<i>Simpson,</i>	<i>Viger, Hon. D.B.</i>
<i>Duggan,</i>			(37.)

NOES.

<i>Black,</i>	<i>Delisle,</i>	<i>Johnston,</i>	<i>Parke,</i>
<i>Boswell,</i>	<i>Derbshire,</i>	<i>Killaly, Hon. H.H.</i>	<i>Robertson,</i>
<i>Cameron,</i>	<i>Foster,</i>	<i>McDonald, (Glen.)</i>	<i>Steele,</i>
<i>Cartwright,</i>	<i>Gilchrist,</i>	<i>McLean,</i>	<i>Watts,</i>
<i>Chesley,</i>	<i>Harrison, Hon. S.B.</i>	<i>Moffat, Hon. G.</i>	<i>Williams,</i>
<i>Daly, Hon. D.</i>	<i>Hale,</i>	<i>Moore,</i>	<i>Yule.—27.</i>
<i>Day, Hon. C. D.</i>	<i>Holmes,</i>	<i>Ogden, Hon. C.R.</i>	

Amendment carried

So it was carried in the affirmative, and—
Ordered, accordingly.

Motion for House to go into Committee on Bill.

Sir *Allan MacNab* moved, seconded by Mr. *Neilson*—That the said Bill, as amended, be now referred to a Committee of the whole House.

Motion for adjournment

Mr. *Black* moved, seconded by Mr. *J. S. McDonald*—That the House do adjourn.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down, as followeth :—

YEAS.

<i>Black,</i>	<i>Derbshire,</i>	<i>Killaly, Hon. H.H.</i>	<i>Robertson,</i>
<i>Boswell,</i>	<i>Foster,</i>	<i>McDonald, (Glen.)</i>	<i>Simpson,</i>
<i>Cameron,</i>	<i>Gilchrist,</i>	<i>McLean,</i>	<i>Steele,</i>
<i>Cartwright,</i>	<i>Harrison, Hon. S.B.</i>	<i>Moffat, Hon. G.</i>	<i>Thorburn,</i>
<i>Chesley,</i>	<i>Hale,</i>	<i>Moore,</i>	<i>Watts,</i>
<i>Daly, Hon. D.</i>	<i>Holmes,</i>	<i>Ogden, Hon. C. R.</i>	<i>Williams,</i>
<i>Day, Hon. C. D.</i>	<i>Johnston,</i>	<i>Parke,</i>	<i>Yule.—29.</i>
<i>Delisle,</i>			

NOES.

<i>Armstrong,</i>	<i>Christie,</i>	<i>Morin,</i>	<i>Ruel,</i>
<i>Aylwin,</i>	<i>Cook,</i>	<i>Neilson,</i>	<i>Smith, (Fron.)</i>
<i>Baldwin,</i>	<i>Desrivieres,</i>	<i>Noel,</i>	<i>Smith, (Went.)</i>
<i>Barthe,</i>	<i>Duggan,</i>	<i>Parent,</i>	<i>Sherwood,</i>
<i>Berthelot,</i>	<i>Durand,</i>	<i>Powell,</i>	<i>Strachan,</i>
<i>Boutillier,</i>	<i>Hincks,</i>	<i>Price,</i>	<i>Thompson,</i>
<i>Buchanan,</i>	<i>MacNab, Sir A. N.</i>	<i>Quesnel,</i>	<i>Turcotte,</i>
<i>Burnet,</i>	<i>McDonald, (Pres.)</i>	<i>Raymond,</i>	<i>Viger, Hon. D.B.</i>
<i>Child,</i>	<i>Merritt,</i>	<i>Roblin,</i>	(35).

Lost.

So it was passed in the negative.

The question having been then put upon the main motion, a division also ensued, and it was carried in the affirmative,

House in Committee on Bill.

And the House accordingly resolved itself into the said Committee.

Mr. *Price* took the chair of the committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Price* reported, that the committee had gone through the Bill, and had made an amendment thereto, which amendment was again read at the Clerk's Table, and agreed to by the House.

Bill reported amended.

Sir *Allan McNab* moved, seconded by Mr. *Neilson*,
That the said Bill, as amended, be engrossed.

And ordered to be engrossed.

The question having been put upon the said motion, a division ensued, and it was carried in the affirmative, and

Ordered, accordingly.

Ordered—That Mr. *Black* have leave to absent himself from this House until the 31st instant.

Leave of absence to Mr. Black.

Then, on motion of Mr. *Child*, seconded by Mr. *Roblin*,
The House adjourned.

Lunæ, 19^o die Julii;

Anno 5^o *Victoriæ Reginae, 1841.*

The following Petitions were severally brought up and laid on the table :—

Petitions brought up.

By Mr. *J. S. Macdonald*—The Petition of the Honorable *J. McGillivray*, and others, of the *Eastern District*.

Hon. J. McGillivray and others.

By Mr. *Morin*—The Petition of *P. A. Weilbreuner*, of *Montreal*.

P. A. Weilbreuner.

By Mr. *Holmes*—The Petition of the Reverend *Edward Black*, and others, of the City of *Montreal*.

Rev. E. Black and others.

By Mr. *Duggan*—The Petition of *Christopher Cheyne*, and others, of the Township of *Toronto*—the Petition of *James Clarke*, and others, inhabitants of the Township of *Caledon*—the Petition of *James Gillespy*, and others, inhabitants of *Caledon*—and the Petition of *J. B. Phillips*, and others, inhabitants of the Townships of *Toronto*, *Chinguacousy* and *Gore*, of *Toronto*.

C. Cheyne and others.

J. Clarke and others.

J. Gillespie and others.

J. B. Phillips and others.

By Mr. *Hincks*—The Petition of *William Light*, and others, inhabitants of the District of *Brock*.

W. Light and others.

By Mr. *Derbishire*—The Petition of *F. McKay*, and other Justices of the Peace of the intended District of *Dalhousie*—and the Petition of *C. C. Grece*, and others, whose lands are intersected by the *Grenville Canal*.

F. McKay and others.

C. C. Grece and others.

An Engrossed Bill for preventing any failure of Justice, in respect of complaints of undue elections or returns of members of the Legislative Assembly of this Province at the last general election, was read for the third time.

Failure of Justice at elections Bill read third time.

Mr. *Hamilton* moved, seconded by Mr. *Buchanan*,

That the said Bill be recommitted to a committee of the whole House to-morrow.

Motion for recommitment.

The question having been put upon the said motion, a division ensued, and it passed in the negative.

Lost.

On motion of Mr. *Buchanan*, seconded by Mr. *Noel*,

Ordered—That the said Bill be forthwith recommitted to a committee of the whole House.

House goes into committee on the Bill.

The House accordingly resolved itself into the said committee.

Captain *Steele* took the chair of the committee, and after some time spent therein,

Mr. *Speaker* resumed the chair,

And Captain *Steele* reported, that the committee had gone through the Bill, and had made several amendments thereto, which amendments

Bill reported amended.

were again read at the Clerk's table, and agreed to by the House; and are as followeth:—

After the word "Whereas," in the preamble, where it first occurs, strike out all the words in the preamble, and insert the following in lieu thereof: "Doubts have arisen as to whether certain Acts of the late Province of *Lower Canada*, relating to the trial of controverted elections in that part of this Province of *Canada*, hitherto called *Lower Canada*, were in force at the commencement of the present Session; and whereas, in consequence of such doubts, the formalities and requirements prescribed by the said Provincial Acts have not been observed by certain electors, who have petitioned the Legislative Assembly against the return of certain members of the same; and whereas it is desirable to afford the said Petitioners an extension of time within which it may be in their power to complete the said formalities and requirements of the said Provincial Acts."

Press 3, Line 3—After the words "Provided always," strike out the remainder, and insert the following: "That all the said formalities and requirements of the said Provincial Acts be complied with within thirty days after the passing of this Act."

Ordered—That the said Bill, as amended, be engrossed.

The said engrossed Bill, as amended, was then again read.

Sir *Allan McNab* moved, seconded by Mr. *Buchanan*,

That the Bill do pass.

Mr. *Cameron* moved, seconded by Mr. Solicitor General *Daly*,

That the Bill do not now pass, but that a Committee of Privileges be appointed to investigate into the alleged violence and corruption practised at certain Elections in *Lower Canada*, with respect to which petitions have been presented to the House, with power to send for persons, papers and records.

The question being put upon the said motion, a division ensued, and the names being called for, they were taken down, as followeth:—

YEAS.

<i>Cameron,</i>	<i>Foster,</i>	<i>Johnston,</i>	<i>Parkc,</i>
<i>Chesley,</i>	<i>Harrison, Hon. S. B.</i>	<i>Killaly, Hon. H. H.</i>	<i>Robertson,</i>
<i>Daly, Hon. D.</i>	<i>Hale,</i>	<i>Macdonald, (Glen.)</i>	<i>Steele,</i>
<i>Day, Hon. C. D.</i>	<i>Hamilton,</i>	<i>Moore,</i>	<i>Williams,</i>
<i>Delisle,</i>	<i>Holmes,</i>	<i>Ogden, Hon. C. R.</i>	<i>Yule.—21.</i>
<i>Derbishire,</i>			

NOES.

<i>Armstrong,</i>	<i>Duggan,</i>	<i>Neilson,</i>	<i>Smith, (Front.)</i>
<i>Baldwin,</i>	<i>Durand,</i>	<i>Noel,</i>	<i>Smith, (Went.)</i>
<i>Berthelot,</i>	<i>Hincks,</i>	<i>Parent,</i>	<i>Sherwood,</i>
<i>Boutillier,</i>	<i>MacNab, Sir A. N.</i>	<i>Powell,</i>	<i>Thompson,</i>
<i>Buchanan,</i>	<i>McDonald, (Pres.)</i>	<i>Price,</i>	<i>Thorburn,</i>
<i>Burnet,</i>	<i>Merritt,</i>	<i>Quesnel,</i>	<i>Turcotte,</i>
<i>Child,</i>	<i>Moffatt, Hon. G.</i>	<i>Raymond,</i>	<i>Viger, Hon. D. B.</i>
<i>Christie,</i>	<i>Morin,</i>	<i>Ruel,</i>	<i>Woods.—33.</i>
<i>Cook,</i>			

Lost.

So it passed in the Negative,

The question being then put upon the main motion, a division also ensued, and the names being called for, they were taken down as followeth:—

YEAS.

<i>Armstrong,</i>	<i>Cook,</i>	<i>Neilson,</i>	<i>Smith, (Front.)</i>
<i>Baldwin,</i>	<i>Duggan,</i>	<i>Noel,</i>	<i>Smith, (Went.)</i>
<i>Berthelot,</i>	<i>Durand,</i>	<i>Parent,</i>	<i>Sherwood,</i>
<i>Boutillier,</i>	<i>Hincks,</i>	<i>Pocell,</i>	<i>Thompson,</i>
<i>Buchanan,</i>	<i>McNab, Sir A.N.</i>	<i>Price,</i>	<i>Thorburn,</i>
<i>Burnet,</i>	<i>McDonald, (Pres.)</i>	<i>Quesnel,</i>	<i>Turcotte,</i>
<i>Child,</i>	<i>Merritt,</i>	<i>Raymond,</i>	<i>Viger, Hon. D.B.</i>
<i>Christie,</i>	<i>Morin,</i>	<i>Ruel,</i>	<i>Woods.—32.</i>

NOES.

<i>Cameron,</i>	<i>Foster,</i>	<i>Killaly, Hon. H.H.</i>	<i>Parke,</i>
<i>Chesley,</i>	<i>Harrison, Hon. S.B.</i>	<i>McDonald, (Glen.)</i>	<i>Robertson,</i>
<i>Daly, Hon. D.</i>	<i>Hale,</i>	<i>Moffatt, Hon. G.</i>	<i>Steele,</i>
<i>Day, Hon. C. D.</i>	<i>Hamilton,</i>	<i>Moore,</i>	<i>Williams,</i>
<i>Delisle,</i>	<i>Holmes,</i>	<i>Ogden, Hon. C.R.</i>	<i>Yule.—22.</i>
<i>Derbshire,</i>	<i>Johnston,</i>		

So it was carried in the affirmative, and—

Resolved—That the Bill do pass.

Ordered—That Sir *Allan McNab* do carry the said Bill to the Legislative Council and desire their concurrence.

Bill passed.

The Honorable *S. B. Harrison*, one of Her Majesty's Executive Council, delivered to Mr. Speaker three Messages from His Excellency the Governor General, signed by His Excellency.

And the said Messages were read by Mr. Speaker, all the members of the House being uncovered, and are as followeth:—

Messages from His Excellency.

SYDENHAM.

In answer to their Address of the 14th instant, the Governor General informs the House of Assembly, that His Excellency is in possession of no correspondence with the Home Government, in reference to the locality of the Seat of Government of *Canada*, which His Excellency could, with propriety, communicate to the House.

Respecting locality of the seat of Government.

Government House, }
Kingston, 16th July, 1841. }

SYDENHAM.

The Governor General informs the House of Assembly, in answer to their Address of the 14th instant, that His Excellency has been apprised by the Secretary of State, that the Address of the House of Assembly of *Upper Canada*, on the subject of the introduction of the products of this Province into the Ports of *Great Britain* free from duty, and to invest the Legislature with power to originate and vary duties on products when admitted into the Ports of this Province on certain conditions, had been referred, by Her Majesty's commands, for the consideration of the Lords of the Committee of Privy Council for the affairs of Trade; and His Excellency has further received the assurance of Lord *John Russell*, that "It will be the object of the Queen's Government to free the Trade of *Canada* from restrictions which are unnecessary, and at the same time to do justice to the industry and manufactures of the United Kingdom."

Respecting Address from Assembly of U. Canada on introduction of Canadian products into the Ports of Great Britain.

Government House, }
Kingston, 16th July, 1841. }

SYDENHAM.

The Governor General informs the House of Assembly, in answer to their Address of the 13th instant, that no information has been received

Respecting reserved Bill for imposing du-

ties on imports from
U State.

from the Secretary of State on the subject of the Bill passed by the Legislative Council and Assembly of *Upper Canada*, during their last Session, entitled "*An Act to impose certain duties on certain articles imported into this Province from the United States of America*," and that that Bill is still under the consideration of Her Majesty's Government.

Government House,
Kingston, 16th July, 1841. }

Return of acceptance
by R. Baldwin, Esq.,
of a seat in the Ex.
Council, laid before
the House.

The Honorable *S. B. Harrison* presented, pursuant to an Address of the House of Assembly of the 15th instant, a return on the subject of the acceptance, by *Robert Baldwin*, Esquire, of a seat in the Executive Council.

For the said Return, see Appendix (L.)

House in committee
on 1st Report on con-
tingencies.

On motion of Mr. *Thorburn*, seconded by Mr. *Neilson*,
Ordered—That the Order of the day, for the House in Committee, on the first report of the Special Committee on the contingent accounts, and other expenses of the present Session, lost by the adjournment of the House of *Friday* last, be revived; and that the House do now resolve itself into the said committee.

The House accordingly resolved itself into the said Committee.

Mr. *Henry Smith* took the Chair of the Committee, and after some time spent therein,

Mr. Speaker, resumed the Chair,

Resolution reported

And Mr. *Henry Smith* reported, that the committee had come to a Resolution, which he was directed to submit to the House whenever it shall be pleased to receive the same.

Ordered—That the Report be received *to-morrow*.

Petitions read

Pursuant to the Order of the day, the following Petitions were read:—

Of P. Beaubien and
others

Of *Pierre Beaubien*, and others, members of the Mutual Fire Insurance Company of *Montreal*, praying that Judges and Justices of the Peace, who are members of the Company, may not sit in any legal proceedings wherein the Company shall be interested, and that other members may not be witnesses in cases of or against the said Company.

Of Hon G. Thomp-
son and others

Of the Honorable *John G. Thompson*, and others, inhabitants of *New Carlisle*, in the District of *Gaspé*, praying an aid for the encouragement of education in *New Carlisle*, and its vicinities.

Of N. Wait & others.

Of *Norval Wait*, and others, Jurors of the District Court of the *Home* District, praying for a remuneration when attending as Jurors in the said District Court.

Of J. W. Keating
and others.

Of *J. W. Keating*, and others, inhabitants of the *Northern* Townships, in the *Western* District, praying that no further tax be imposed upon them, and that the ten *Northern* Townships of the County of *Kent* be formed into a new District.

Of P. A. de Gaspé.

Of *Philip Aubert de Gaspé*, late Sheriff of the District of *Quebec*, praying to be released from imprisonment.

Of J. C. Hendershot
and others.

Of *John C. Hendershot*, and others, inhabitants of the Townships of *Mersea* and *Gosfield*, praying for an aid to repair a road running between those two Townships.

Of John Midcalf

Of *John Midcalf*, of *Kingston*, praying for a remuneration for the loss of a boat, taken by the Militia for the attack upon the *Caroline*.

Petition of James Car-
rall referred to select
committee.

Resolved—That the Petition of *James Carrall* and others, inhabitants of the District of *Brock*, presented to the House on the 12th instant, be referred to a committee of *five* members to examine the contents thereof, and to report thereon with all convenient speed, by Bill or otherwise; with power, to send for persons, papers, and records.

Ordered—That Mr. *Hincks*, Mr. *Powell*, Sir *Allan M^cNab*, Mr. *Thorburn*, and Mr. *Thompson*, do compose the said Committee.

The Honourable Mr. *Viger*, from the Special Committee to which was referred the Petition of *Felix Lussier*, Esq., and others, Proprietors and inhabitants of the county of *Vercheres*, and other references, presented to the House the report of the said Committee which was again read at the Clerk's table as followeth :—

Committee on petition of F. Lussier and others, report.

Your Committee, after duly considering the prayer of the several Petitions, are of opinion that it should be granted, and therefore recommend your Honourable House to pass an Act to amend the Acts authorizing the establishment of Mutual Insurance Companies in the *Eastern* section of this Province, so far as to enable the Mutual Insurance Company of the City of *Montreal* to insure for the said counties.

Report.

(Dissentient, Mr. *Moffatt*.)

Ordered—That the said report be referred to a Committee of the whole House on *Thursday* next.

Report referred to com. of whole on Thursday.

Mr. *Dunscumb*, from the Select Committee to which was referred the Petition of the *North American Colonial Association of Ireland*, with power to Report by Bill or otherwise, presented to the House a Bill to authorize the *North American Colonial Association of Ireland* to loan moneys, and to prosecute certain public works in the county of *Beauhar- nois*, which was received and read for the first time.

Com. on Pet. of N American Colonial Association of Ireland report Bill.

Bill to authorise N American Col. Assn of Ireland to loan moneys, &c. read first time.

Ordered—That the said Bill be read a second time on *Wednesday* next.

2nd reading Wednesday.

Ordered—That Mr. *J. S. Macdonald* have leave to bring in a Bill to settle by a more easy and less expensive mode than now by law exists, the damages which have been, or may hereafter be, sustained by the proprietors of land overflowed by means of the erection of Mill Dams.

He accordingly presented the said Bill to the House and the same was received and read for the first time.

Mill-dam damages bill brought in and read first time.

Ordered—That the said Bill be read a second time on *Friday* next.

Resolved—That a Committee of five members be appointed to consider the affairs and management of the Provincial Penitentiary of that part of the Province heretofore *Upper Canada*, and the propriety of extending the operation of the Institution to that part of the Province heretofore *Lower Canada*.

Committee on Penitentiary appointed.

Ordered—That the Honourable Mr. *Harrison*, Mr. *Quesnel*, the Honourable Mr. *Moffatt*, Mr. *Neilson*, and the Honourable Mr. *Viger*, do compose the said Committee.

On motion of Mr. *J. S. Macdonald*, seconded by Mr. *Chesley*.

Resolved—That an humble address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be laid before this House, as soon as practicable, a statement of the number of suits brought in the court of Chancery since the 6th day of *February* 1840, shewing the number of suits actually adjudicated upon, the amount of costs taxed and allowed on each suit, also the amount of fees paid to the Registrar on each suit, together with a detailed statement exhibiting the aggregate sum received by that officer, by way of fees and charges on the said suits, since the period aforesaid, to this day.

Address to His Excy. for statement of suits in Chancery, ordered.

Ordered—That the said address be presented to His Excellency the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

House to go into com. on amending ordinances respecting Montreal roads.

On motion of Mr. *Holmes*, seconded by Mr. *Hamilton*,
Resolved—That this House will on *Monday* next, resolve itself into a Committee of the whole House to consider the expediency of amending the ordinance of the Special Council, providing for the improvement of the roads in the vicinity of *Montreal*.

Address to His Excy for returns of Militia Fines in U. Canada ordered.

On motion of Mr. *Durand*, seconded by Mr. *Harmanus Smith*.
Resolved—That an humble address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House a copy of all returns made by the different commanding Officers of Militia in this Province, of all fines and exemption moneys received by them under the present Militia Law of the late Province of *Upper Canada*.

Ordered—That the said address be presented to His Excellency by such members of this House as are of the Honourable the Executive Council of this Province.

Order for House in com. on amending laws levying duties on imports revived.

On motion of Mr. *Holmes*, seconded by Mr. *Dunscomb*,
Ordered—That the Order of the day for the House in committee to consider the expediency of enquiring into the several laws, levying duties on the imports into this Province, and to consider the propriety of amending and consolidating the same, lost by the adjournment of the House of *Friday* last, be revived, and that the House do resolve itself into the said Committee on *Monday* next.

Order for receiving report com. of whole on 1st Report of com on Clerk's Office revived, and report presented.

On motion of Sir *Allan McNab*, seconded by Mr. *Harmanus Smith*,
Ordered—That the Order of the day for receiving the report of the Committee of the whole House on the first report of the special Committee appointed to enquire what assistance it will be necessary to afford to the Clerk, and what offices and departments it will be expedient to establish for the effective and orderly conduct of the business of this House, lost by the adjournment of the House of *Friday* last, be revived, and that the said report be now received.

Resolutions of com of whole reported, and agreed to

Accordingly Mr. *Dunscomb* reported the resolutions of the said Committee, which were again read at the Clerks table and agreed to by the House, and are as followeth :

1st Resolution.
£350 per annum to Law Clerk, and English translator

Resolved—That Mr. *Gustavus W. Wicksteed*, be appointed *English* translator to this House, and that he do also perform the duties of Law Clerk required by the rules adopted by this House, with a fixed salary of three hundred and fifty pounds currency, per annum, from the 14th *June*, ultimo.

2nd Resolution.
£250 per annum French translator.

Resolved—That Mr. *Henry Voyer*, be appointed *French* translator to this House, from the 14th *June* ultimo, with a fixed salary of two hundred and fifty pounds, currency, per annum.

3rd Resolution
20s. per diem, Assistant F. translator.

Resolved—That Mr. *Alexander Lemoine*, be appointed assistant *French* translator to this House, from the 14th *June* ultimo, with the pay of twenty shillings, currency, per diem, during the session.

4th Resolution.
£350 per annum, Chief Office Clerk.

Resolved—That Mr. *William Poyntz Patrick*, be appointed chief Office Clerk of this House, from the 14th ultimo, with a fixed salary of three hundred and fifty pounds, currency, per annum.

5th Resolution.
£300 per annum, Chief Clerk Committees.

Resolved—That Mr. *William Ross*, be appointed chief Clerk of Committees, from the 14th *June*, ultimo, with a fixed salary of three hundred pounds currency per annum.

6th Resolution.
£225 per an'm, 2nd Clerk Committees.

Resolved—That Mr. *Alfred Patrick*, be appointed second Clerk of Committees, from the 14th *June* ultimo, with a fixed salary of two hundred and twenty five pounds, currency, per annum.

7th Resolution.

Resolved—That Mr. *Thomas Vaux*, be appointed second Office Clerk

from the 14th *June* ultimo, with a fixed salary of two hundred and twenty five pounds, currency, per annum.

Resolved—That Mr. *Pierre E. Gagnon*, be appointed Clerk of the Journals, from the 14th *June* ultimo, with a fixed salary of two hundred and twenty five pounds, currency, per annum.

Resolved—That Mr. *George M. Muir*, be appointed second Clerk of the Journals, from the 14th *June* ultimo, with a fixed salary of two hundred and twenty five pounds, currency, per annum.

Resolved—That the salary of the Librarian be fixed at two hundred pounds, currency, per annum.

Resolved—That the salary of the deputy Librarian be fixed at one hundred pounds, currency, per annum.

Resolved—That it shall be the duty of the Officers of this House (including the Clerk and Clerk assistant) to complete and finish the work remaining at the close of each session.

Resolved—That the Extra Clerks and writers employed during the session be paid at the rate of ten shillings, currency, per day of six hours, and so in proportion for extra hours.

Resolved—That *A. Leroux dit Cardinal*, be appointed chief Messenger, from the 14th *June* ultimo, with a fixed salary of one hundred pounds, currency, per annum, and the allowance heretofore enjoyed by him as Messenger to the House of Assembly, of the late Province of *Lower Canada*.

Resolved—That *King Barton*, be appointed House Messenger, with a fixed salary of forty pounds, currency, for each session.

Resolved—That *Hugh McClellan*, be appointed door keeper, with a fixed salary of sixty pounds, currency, for each session, not including the allowance of twenty pounds which he now receives by warrant, in virtue of a Law.

Resolved—That the others Messengers and doors keepers be paid at the rate of seven shillings and six pence, currency, per diem, during the session

Resolved—That a Message be sent to the Honourable the Legislative Council, praying their honors will permit the Honourable *René Edouard Caron*, *John Fraser* and *George Pemberton*, three of their members, to attend the Select Committee of this House to which is referred the petition of *John William Woolsey*, Esquire, and others, of the City of *Quebec*, praying to be restored to their Elective Franchise, on *Wednesday* and *Thursday* next, at 10 o'clock in the forenoon, to be examined on the subject of the said reference.

Ordered—That Mr. *Burnet* do carry the said Message to the Legislative Council.

On motion of Mr. *Moore*, seconded by Mr. *Child*.

Resolved—That this House will, on *Monday* next, resolve itself into Committee of the whole House to take into consideration the expediency of amending a certain Ordinance passed by the Special Council of the late Province of *Lower Canada*, in the 4th year of Her Majesty's Reign intituled "an Ordinance for making a Rail Road from *Sherbrooke* to a point upon either Bank of the *Richelieu*."

A Bill the better to provide for the freedom of elections throughout this Province, and for other purposes therein mentioned, was, according to order, read a second time.

A Bill to enable religious Societies of all denominations of Christians to hold the lands requisite for certain purposes therein mentioned, was according to order, read a second time.

£225 per annum, 2nd Office Clerk.

8th Resolution. £225 per an'm, Clerk of Journals.

9th Resolution. £225 per annum 2nd. Clerk of Journals.

10th Resolution. £200 per annum, Librarian.

11th Resolution. £100 per annum Deputy Librarian. Permanent officers of House to complete the work.

13th Resolution. 10s. per diem of 6 hours to extra Clerks.

14th Resolution. £100 per an'm Chief Messenger.

15th Resolution. £10 per Session, House Messenger.

16th Resolution. £60 per session Door-keeper.

17th Resolution. 7s. 6d. per diem to other messengers.

Message to Legislative Council for leave to Messrs. Caron, J. Fraser, & Pemberton to attend Committee.

House to go into Committee on amending Ordinance for constructing *Sherbrooke* Rail Road

Election Bill read second time.

Bill to enable Religious Societies to hold lands read 2nd time.

Ordered—That the said Bill be referred to a Committee of the whole House on *Wednesday* next.

Bill to enable Christian Ministers of all denominations to solemnize marriage read 2nd time.

A Bill to enable the Ministers of all denominations of Christians to solemnize marriage under certain restrictions, was according to order read a second time.

Ordered—That the said Bill be referred to a Committee of the whole House on *Wednesday* next.

Bill to naturalize certain persons read 2nd time

A Bill to secure to, and confer upon, certain Inhabitants of this Province, the Civil and Political Rights of natural born *British* Subjects, was according to order, read a second time.

Ordered—That the said Bill be referred to a Committee of the whole House on *Thursday* next.

Bill to incorporate Ladies Benevolent Society of Montreal read 2nd time

A Bill to incorporate the Ladies Benevolent Society of *Montreal*, was, according to order, read a second time.

Ordered—That the said Bill be referred to a Committee of the whole House on *Wednesday* next.

House in Committee on Report of Special Committee on Gaspé Fisheries

The Order of the day for the House in Committee on the report of the Special Committee to which was referred the Bill to regulate the fisheries in the District of *Gaspé*, and on the said Bill, being read.

The House accordingly resolved itself into the said Committee.

Mr. *Powell* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair.

Progress

And Mr. *Powell* reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Leave granted to sit again

Ordered—That the said Committee have leave to sit again on *Wednesday* next.

Order for House in Committee on Laws of Feudal Tenure, postponed

The Order of the day for the House in Committee to take into consideration the Laws of that part of the Province, heretofore known as *Lower Canada*, touching the tenure of Lands, and commonly known as "Feudal Tenure" and to consider the expediency of altering, and amending the same, and the best and most equitable mode of effecting the alterations that may be deemed necessary, being read.

Ordered—That the said Order of the day be postponed until *Monday* next.

Then on motion of the Honourable Mr. *Viger*, seconded by Mr. *Price*. The House adjourned.

Martis, 20^o die Julii ;

Anno 5^o Victoriae Reginae, 1841.

Petitions brought up

The following petitions were severally brought up, and laid on the table :—

Rev J Abbott and others

By Mr. *Robertson*—The Petition of the Reverend *Joseph Abbott*, and other *Protestant* inhabitants of the Township of *Grenville*—the Petition of the Reverend *William Muir*, and others, of the Township of *Chatham*, in the County of *The Lake of Two Mountains*—the Petition of *Joseph Huston*, and others, of the Township of *Chatham*, in the County of *The Lake of Two Mountains*—the Petition of *Thomas Hains*, and others, inhabitants

Robt W Muir and others

J Huston and others

T Hains and others.

of the Townships of *Grenville* and *Chatham*—and the Petition of *Thomas Barron*, and others, of the County of *The Lake of Two Mountains*.

T. Barron and others.

By Mr. *Burnet*—The Petition of *William Ginger*, of *Quebec*.

W. Ginger.

By Mr. *Gilchrist*—The Petition of *Thomas Carr*, and others, of the Township of *Otanabee*.

T. Carr and others.

By Mr. *Neilson*—The Petition of *John Bonner* and *William Petry*, of *Quebec*.

John Bonner and W. Petry.

Resolved—That the Petition of *Louis Mousseau*, and others, proprietors of the Parish of *Berthiër*, in the District of *Montreal*, presented to the House on the 12th instant, be referred to a committee of five members to examine the contents thereof, and report thereon with all convenient speed; with power to send for persons, papers, and records.

Petition of L. Mousseau and others referred.

Ordered—That Mr. *Armstrong*, Mr. *Berthe*, the Honorable Mr. *Daly*, Mr. *Holmes* and Mr. *Robertson*, do compose the said Committee.

Ordered—That the Petition of divers inhabitants of the County of *Frontenac*, complaining of the undue election and return of *Henry Smith*, Esquire, representative for the said County, be taken into consideration on the day and hour fixed by this House, for taking into consideration the Petition of *James Mathewson*, of the Township of *Pittsburg*.

Time appointed for taking into consideration petition of divers inhabitants of Frontenac.

Resolved—That the Petition of *Philippe Aubert de Gaspé*, late Sheriff of the District of *Quebec*, presented to the House on the 14th instant, be referred to a Committee of five members, to examine the contents thereof, and to report thereon with all convenient speed, by Bill or otherwise; with power to send for persons, papers and records.

Petition of Philip Aubert de Gaspé referred to Select Committee.

Ordered—That Mr. *Christie*, Mr. *Hamilton*, Mr. *Neilson*, Mr. *De Sablerry*, and the Honorable Mr. *Viger*, do compose the said Committee.

The Honourable *S. B. Harrison*, one of Her Majesty's Executive Council, delivered to Mr. Speaker two Messages from His Excellency, the Governor General, signed by His Excellency.

And the said Messages were read by Mr. Speaker, all the members of the House being uncovered, and are as followeth:—

SYDENHAM.

The Governor General recommends to the House of Assembly the propriety of providing for the purchase of the Interest of the private Shareholders in the *Welland Canal*, conformably to a Bill passed in the Session of 1839, by the House of Assembly of *Upper Canada*.

Message from His Excellency the Governor General on private Stock, Welland Canal.

Government House, }
Kingston, 20th July, 1841. }

SYDENHAM.

The Governor General transmits to the House of Assembly a Statement of the probable revenue and expenditure of the Province, and an Estimate of Expenditure up to the 31st December, 1841; and in conformity with the provisions of the 57th clause of the Union Act, he recommends these estimates to the House of Assembly.

Message with statement of Revenue and Expenditure.

Government House, }
Kingston, 20th July, 1841. }

For the said Statements and Estimates, see Appendix (B.)

The Honourable *S. B. Harrison* presented, pursuant to the Provincial Act 7, William 4. Cap. 92, the *Welland Canal* accounts for 1840.

Welland Canal Accounts presented.

For the said Accounts, see Appendix (D.)

And annual report from Provincial Penitentiary.

And also, pursuant to the Provincial Act 4th William 4, Cap. 37, the Annual Report of the Provincial Penitentiary for 1840.

For the said Report, see Appendix (M.)

71st Rule not to be retrospective.

Mr. *Durand* moved, seconded by Mr. *Hermannus Smith*,

That nothing contained in the 71st Rule of this House shall be taken to affect any Petition, Resolution, Bill, or other proceeding, which was presented, received, moved, or introduced, before the said Rule was adopted by the House; but that every such Petition, Resolution, Bill, or other proceeding, so introduced, shall be proceeded upon in like manner, as if the said Rule had not been made.

The question having been put upon the said motion, a division ensued, and it was carried in the affirmative.

Resolved accordingly.

Committee of whole to-morrow, on 1st and 3rd Vic. relating to District of Dalhousie.

On motion of Mr. *Derbshire*, seconded by Mr. Solicitor General *Day*.

Resolved—That this House will, on to-morrow, resolve itself into a Committee of the whole House, to take into consideration the Acts of the 1st and 3d of VICTORIA, relating to the intended District of *Dalhousie*, and the erection of a Gaol and Court House therein.

Address to be sent to His Excellency for information on loans made to certain Companies, Corporations and individuals, in U.C.

Mr. *Hincks* moved, seconded by Mr. *Price*,

That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House a statement of all loans made by the Government to the *Cobourg*, *Port Hope*, and *Oakville* Harbour Companies, and also of the securities, if any, taken for such loans, and the amount of Interest at present due thereon; and that His Excellency will further be pleased to inform this House what steps have been taken to enforce payment of the arrears of Interest, if any be due.

Sir *Allan McNab* moved, in amendment, seconded by Mr. *Cameron*,

That the following words be added to the said Address:—"And also similar information with regard to Corporations, or individuals in that part of the Province lately called *Upper Canada*."

The question being put upon the motion of amendment, it was unanimously agreed to by the House.

The question being then put upon the main motion: as amended, it was also agreed to, and—

Resolved—That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be laid before this House a Statement of all loans made by the Government to the *Cobourg*, *Port Hope*, and *Oakville* Harbour Companies, and also the securities, if any, taken for such loans, and the amount of Interest at present due thereon; and that His Excellency will further be pleased to inform this House what steps have been taken to enforce payment of the arrears of Interest, if any be due; and also similar information with regard to all Corporations or Individuals in that part of the Province lately called *Upper Canada*.

Ordered—That the said Address be presented to His Excellency by such members of this House as are of the Honourable the Executive Council of this Province.

House to go into Committee, on Monday next, on Statutes &c. of L. C. relating to highways.

On motion of Mr. *Turrotte*, seconded by Mr. *Parent*,

Resolved—That this House will, on *Monday* next, resolve itself into a Committee of the whole House to take into consideration the propriety of repealing or amending the Statutes and Ordinances of that part of this

Province formerly called *Lower Canada*, relating to the improvement of the Queen's Highways, during the winter season.

On motion of Mr. Attorney General *Draper*, seconded by Mr. *Merritt*,

Ordered—That the Order of the day for the House in Committee to take into consideration the expediency of granting a sum of money to purchase the private shares in the *Welland Canal*, lost by the adjournment of the House of *Friday* last, be revived, and that this House will, on *Thursday* next, resolve itself into the said Committee.

Ordered—That the Message of His Excellency, the Governor General, on the same subject, received this day, be referred to the said Committee.

Mr. *Johnston* moved, seconded by Mr. *Williams*,

That the Clerk of this House be instructed to inform the Proprietor of the *Canadian Mirror of Parliament*, that his paper is no longer required for the use of members of this House.

The question having been put upon the said motion, a division ensued and it passed in the Negative.

On motion of Mr. *Neilson*, seconded by Mr. *Christie*,

Ordered—That the Order of the day, for the House in Committee, to take into consideration the Petition of *William Walker*, and other inhabitants of the city of *Quebec*, relating to the Timber Trade, lost by the adjournment of the House of *Friday* last, be revived, and that this House will, on *Friday* next, resolve itself into the said Committee.

On motion of Mr. *Neilson*, seconded by Mr. *Christie*,

Ordered—That the Order of the day, for the House in Committee, to consider any and what amendments are necessary to two certain Ordinances of the Governor and Special Council of the late Province of *Lower Canada*, relating to the incorporation of the City of *Quebec*, lost by the adjournment of the House of *Friday* last, be revived, and that this House will, on *Friday* next, resolve itself into the said Committee.

On motion of Mr. *Merritt*, seconded by Mr. *Thompson*,

Ordered—That the Order of the day, for the second reading of the Bill to amend the Militia Law of that part of the Province formerly constituting the Province of *Upper Canada*, lost by the adjournment of the House of *Friday* last, be revived, and that the said Bill be read a second time on *Wednesday*, the 28th instant.

On motion of Mr. *Merritt*, seconded by Mr. *Powell*,

Ordered—That the Order of the day, for the second reading of the Bill for the relief of disabled and infirm persons, lost by the adjournment of the House of *Friday* last, be revived, and that the said Bill be read a second time on *Friday* next.

Mr. *Henry Smith*, from the Committee of the whole House, on the first Report of the Special Committee on the contingent accounts and expenses of the present Session, reported, according to Order, the Resolution of the said Committee, which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:—

Resolved—That the sum of three thousand three hundred and ninety six pounds, nine shillings and eight pence, currency, out of the monies now in the hands of Mr. Speaker, be paid to *James Fitzgibbon*, Esquire, late Clerk of the House of Assembly of *Upper Canada*, to enable him to liquidate, in part, the several claims against the said House, as per First Report of the Special Committee on contingencies.

Order of day for Committee on purchasing private stock of *Welland Company*, revived.

Message of His Excellency on same subject referred to same Committee.

Motion for discontinuing *Mirror of Parliament*.

Motion lost.

Order of day for Committee of whole on Petition of *William Walker* and others, revived.

Order of day for Committee on certain Ordinances, revived.

Order of the day on 2nd reading of Militia Bill revived.

Order of day on 2nd reading Bill for relief of disabled and infirm revived.

Committee of whole report on 1st report of contingent Committee.

£3396 9s. 8d. put into the hands of *Jas. Fitzgibbon*, Esq. to liquidate certain claims against the late House of Assembly of U. C.

House in Committee
on Common Schools.

The Order of the day, for the House in Committee, to take into consideration the expediency of repealing certain laws relating to the establishment and maintenance of Common Schools in the late Province of *Upper Canada*, and of making provision for the establishment and maintenance of Common Schools in this Province, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Boutillier* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Resolution on main-
tenance of Common
Schools reported.

And Mr. *Boutillier* reported, that the Committee had come to a Resolution, which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:—

Resolution

Resolved—That it is expedient to repeal the Acts and parts of Acts of the Legislature of that part of this Province formerly called *Upper Canada*, providing for, or relating to, the establishment, maintenance, or regulation of Common Schools therein; and to make provision for the establishment and maintenance of Common Schools throughout this Province.

Bill for support of
Common Schools
brought in and read.

Ordered—That Mr. Solicitor General *Day* have leave to bring in a Bill to repeal certain Acts therein mentioned, and to make provision for the establishment and maintenance of Common Schools throughout this Province.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Ordered—That the said Bill be read a second time this day fortnight.

Bill ordered to be
printed.

Ordered—That 200 copies of the said Bill be printed in each of the *English* and *French* Languages, for the use of the members of this House.

House in Committee
on Small Debt Bill.

The Order of the day for the House in Committee on the Bill to repeal the Laws now in force in that part of this Province formerly called *Upper Canada*, for the recovery of small debts, and to make other provisions therefor, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Holmes* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Progress

And Mr. *Holmes* reported, that the Committee had made some progress, and had directed him to move for leave to sit again.

Sit again on Thursday.

Ordered—That the said Committee have leave to sit again on *Thursday* next.

House in Committee
on Board of Works
Bill.

The Order of the day for the House in Committee on the Bill to repeal two certain Ordinances therein mentioned, and to establish a Board of Works in this Province, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Merritt* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Progress.

And Mr. *Merritt* reported, that the Committee had made some progress, and had directed him to move for leave to sit again.

Sit again on Thursday
next.

Ordered—That the said Committee have leave to sit again on *Thursday* next.

Then on motion of Mr. *Price*, seconded by Mr. *Boutillier*,
The House adjourned.

*Mercurii, 21^o die Julii;*Anno 5^o Victoriae Reginae, 1841.

The following Petitions were severally brought up and laid on the table:—

By Mr. *Cartwright*—The Petition of *Alfred Todd, Thaddeus Patrick* and *Charles Fitzgibbon*, Clerks in the office of the Clerk of the Legislative Assembly.

Petitions brought up.

A. Todd, T. Patrick, and C. FitzGibbon.

By Mr. *Parks*—The Petition of *Joseph B. Clench*, Chairman of the Quarter Sessions of the District of *London*.

Jos. B. Clench.

By Mr. *Small*—The Petition of *David Annis*, of the Township of *Whitby*.

David Annis.

By Mr. *Merritt*—The Petition of *George Adams*, and others, Trustees to Macadamize the Main Road from *Queenston* to *Grimbsy*.

Geo. Adams, and others.

By Mr. *Baldwin*—The Petition of *C. S. Ruttan*, and others, of the Townships of *Eldon, Maripossa*, and other places.

C. S. Ruttan and others.

By the Honorable Mr. *Daly*—The Petition of the Ladies, Managers of the Male Orphan Asylum of *Quebec*.

Male Orphan Asylum of Quebec.

By Mr. *Williams*—The Petition of *M. F. Whitehead*, and others, members of the Mechanics' Institute at *Port Hope*, in the District of *Newcastle*.

Marcus F. Whitehead & others.

Pursuant, to the Order of the day the following petitions were read :

Petitions read.

Of the Honourable *J. McGillivray*, and others, of the *Eastern* District, praying that a law may be passed to settle, by a more easy mode than now exists, the damages done to properties overflowed by the erection of mill-dams.

Of Hon. J. McGillivray.

Of *P. A. Weilbreuner*, of *Montreal*, praying to be paid the amount of his account for taking evidence as clerk, relative to the contested election of *Olivier Berthelot*, Esquire, for the *East Ward* of the City of *Montreal*, in 1835.

Of A. Weilbreuner.

Of the Reverend *Edward Black*, and others, of the City of *Montreal*, praying for the establishment of Schools in the Province, and the general use of the Bible in Schools.

Of Rev. Edward Black & others.

Of *Christopher Cheyne*, and others, of the Township of *Toronto*, praying for an aid of £75, to construct a Bridge over the *Etobicoke* stream.

Of Christr. Cheyne & others.

Of *James Clarke*, and others, inhabitants of the Township of *Caledon*, praying for an aid to open a road through their Township.

Of James Clark and others.

Of *James Gillespie*, and others, inhabitants of *Caledon*, praying for an aid to repair the road between *Caledon* and *Albion*.

Of James Gillespie & others.

Of *J. B. Phillips*, and others, inhabitants of the Townships of *Toronto, Chinguacousey*, and *Gore* of *Toronto*, praying for a grant of £100, to cut down two hills between the centre road and the 1st Concession *East*.

Of J. B. Phillips and others.

Of *William Light*, and others, inhabitants of the District of *Brock*, praying for an aid to make a road from *Hamilton* to *London*.

Of William Light and others.

Of *F. McKay*, and others, Justices of the Peace, of the intended District of *Dalhousie*, praying for a loan of £5,000, on the credit of the Province, and the security of the rates and assessments of the said District.

Of F. McKay and others.

Of *C. C. Grece*, and others, whose lands are intersected by the *Grenville* Canal, praying to be remunerated for damages occasioned by the principal Officer of Her Majesty's Ordnance, to their properties.

Of C. C. Grece and others.

A Message from the Legislative Council, by *John Godfrey Spragge*, Esquire, Master in Chancery.

Message from Legislative Council.

LEGISLATIVE COUNCIL, TUESDAY, 20th JULY, 1841.

The Hon Messrs. Caron & Pemberton not present Hon. Jas. Fraser has leave to attend the Select Committee

Ordered—That the Master in Chancery do go down to the Legislative Assembly and acquaint that House, that the Honourable Messieurs *Caron* and *Pemberton* are not present in their places to-day, but that the Legislative Council do give to the Honourable Mr. *John Frazer*, (he being present) leave to attend the Select Committee of that House, to whom is referred the Petition of *John William Woolsey*, and others, of the City of *Quebec*, praying to be restored to their elective franchise, on *Wednesday* and *Thursday* next, at ten o'clock in the forenoon, to be examined on the subject of the said reference, if he think fit.

And also,

LEGISLATIVE COUNCIL, 21st JULY, 1841.

Evidence on which the Assembly passed the Bill to prevent failure of Justice in late Election in L.C.

Ordered—That the Master in Chancery do go down to the Legislative Assembly and acquaint that House, that the Legislative Council request that they will be pleased to communicate to the Legislative Council the evidence upon which they passed the Bill entitled “*An Act for preventing any failure of Justice in respect of complaints of undue elections or returns of members of the Legislative Assembly of this Province, at the last General Election.*”

And then he withdrew.

Answer given to Master in Chancery

The Master in Chancery was then called in, and informed by Mr. Speaker, that this House will send an answer by Message.

Certain Crown Land Accounts presented

The Honourable *D. Daly*, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency, the Governor General, the Accounts current of the Crown Land Department of Upper Canada, to 7th June, 1841.

For the said Accounts, see Appendix (K.)

Statement of certain Moneys expended in Gaspé presented.

The Honourable *D. Daly* presented, pursuant to an Address of the House of Assembly, of the 30th of *June* last, a Statement of the money appropriated for and expended in the District of *Gaspé*, from the year 1835, to the year 1840, both inclusive.

For the said Statement, see Appendix (N.)

Committee on Turnpike Trusts, Gore District, reports bill, which is received and read 1st time

Mr. *Durand*, from the Select Committee appointed to report upon the Turnpike Trusts in the *Gore* District, by Bill or otherwise, presented to the House a Bill to repeal a certain Section of an Act of the Legislature of *Upper Canada*, relative to macadamized roads, which was received and read for the first time.

Second reading 'on Monday

Ordered—That the said Bill be read a second time on *Monday* next.

Call of House at 3 o'clock P. M. To-morrow

On motion of Mr. *Boswell*, seconded by Mr. *Holmes*.

Resolved—That the names of the members of this House, that are now in *Kingston*, be called over on to-morrow, at 3 o'clock, P. M.

Number of Members eligible to serve on Election Committees, insufficient

Resolved—That the number of members of this House who have not served on an Election Committee, for the trial of a controverted election, during the present Session, is insufficient to fulfil the purposes of the Law.

Motion for Speaker to issue his warrant for new writ of Election for Hastings, in room of R. Baldwin, Esq.

Sir *Allan McNab* moved, seconded by Mr. *Woods*,

That Mr. Speaker do issue his warrant to the Clerk of the Crown in Chancery, to make out a new writ for the election of a member to serve in this present Parliament, for the County of *Hastings*, in the room of *Robert Baldrin*. Esquire, who, since his election for the said County, hath

accepted the Office of one of His Excellency, the Governor General's Council.

The question having been put upon the said motion, a division ensued, and it passed in the negative.

Motion lost

On motion of Mr. *Hincks*, seconded by Mr. *Price*.

Resolved—That this House will, on *Wednesday* next, resolve itself into a Committee of the whole House, to take into consideration the expediency of amending a certain Act of the Parliament of the late Province of *Upper Canada*, intituled “*An Act to authorize the establishment of Mutual Insurance Companies in the several Districts of the Province.*”

House to go into Committee, on *Wednesday* next on Mutual Insurance Company Act of U. C.

On motion of Mr. *Christie*, seconded by Mr. *Armstrong*,

Ordered—That the Order of the day for the House in Committee, to take into consideration the expediency of altering and amending the Judicature Acts relating to the Inferior District of *Gaspé*, lost by the adjournment of the House of yesterday, be revived, and that this House will, on *Friday* next, resolve itself into the said Committee.

Order of the day Judicature of *Gaspé* revived

Ordered—That Mr. *Taché*, Mr. Attorney General *Ogden*, Mr. *Berthelot* and Mr. *Quesnel*, be added to the Special Committee to which was referred the Petition of *Philippe Aubert De Gaspé*, late Sheriff of the District of *Québec*.

Addition to Committee on petition of P. A. De *Gaspé*.

On motion of Mr. *Delisle*, seconded by Mr. *Neilson*,

Ordered—That the Order of the day, for the House in Committee, to consider the expediency of amending in part an Ordinance of the Special Council of the late Province of *Lower Canada*, 4 VIC. Cap. 42, intituled “*An Ordinance to repeal and to render permanent, as amended, a certain Ordinance therein mentioned, relative to Taverns and Tavern Keepers, and to make further provision relative to the same subject,*” lost by the adjournment of the House of yesterday, be revived, and that this House will, on *Wednesday* next, resolve itself into the said Committee.

Order of day for com. of whole on Ordinance of Special Council relating to Taverns, revived.

On motion of Mr. *Small*, seconded by Mr. *Baldwin*,

Ordered—That the Order of the day, for the second reading of the Bill to authorize the Voting by Ballot, lost by the adjournment of the House of yesterday, be revived, and that the said Bill be read a second time on *Friday* next.

Order of day for second reading Ballot Bill, revived.

A Bill to enable members of the Legislative Assembly, for places within that part of the Province formerly constituting the Province of *Upper Canada*, to vacate their seats in certain cases, and for other purposes, was, according to Order, read a second time.

Members seats vacation Bill read 2nd time.

Ordered—That the said Bill be now referred to a Committee of the whole House.

House in Committee on said Bill.

The House accordingly resolved itself into the said Committee.

Mr. *Simpson* took the chair of the Committee, and after some time spent therein,

M. Speaker resumed the chair,

And Mr. *Simpson* reported, that the Committee had gone through the Bill, and had made an amendment thereto, which amendment was again read at the Clerk's table, and agreed to by the House.

Bill reported amended.

Ordered—That the said Bill as amended be engrossed.

Bill as amended to be engrossed.

The Order of the day for the second reading of the Bill to provide for the better internal Government of that part of this Province heretofore *Upper Canada*, by the establishment of local or Municipal authorities therein, being read,

Order of day for 2nd reading Municipal Bill postponed.

Ordered—That the said Order of the day be postponed until *Tuesday* next.

Victoria College Bill read 2nd time and ordered to be engrossed.

A Bill to incorporate the *Upper Canada Academy*, under the name and style of "*Victoria College*," was, according to order, read a second time.

Ordered—That the said Bill be engrossed.

House goes into Committee to consider the matter of providing for taking periodical Census.

The Order of the day for the House in Committee to take into consideration the expediency of making provision for taking a periodical Census of the inhabitants of this Province, and obtaining other statistical information, being read,

The House accordingly resolved itself into the said Committee.

The Honourable Mr. *Moffatt* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And the Honourable Mr. *Moffatt* reported that the Committee had come to a resolution, which resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth :

Resolution for making provision for obtaining periodical Census, &c.

Resolved—That it is expedient to repeal those parts of an Act of the Legislature of the late Province of *Upper Canada*, passed in the 5th year of the reign of His Majesty WILL. IV., Cap. 8, and of any other Acts of the Legislature of the late Province of *Lower Canada*, which provide for taking an enumeration of the inhabitants of the said Provinces, or either of them, or relate to the obtaining of statistical information therein, and to make provision for taking a periodical census of the inhabitants of this Province, and for obtaining other statistical information therein.

Census Bill brought in and read first time.

Ordered—That Mr. Solicitor General *Day* have leave to bring in a Bill to repeal certain parts of an Act therein mentioned, and to provide for taking a periodical census of the inhabitants of this Province, and for obtaining other statistical information therein mentioned.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time.

Second reading to-morrow week

Ordered—That the said Bill be read a second time, to-morrow week.

North American Colonial Association Bill read 2nd time.

A Bill to authorize the *North American Colonial Association of Ireland* to loan money's, and to prosecute certain public works in the county of *Beauharnois*, was, according to order, read a second time.

Ordered—That the said Bill be referred to a Committee of the whole House on *Friday* next.

House goes into Committee of whole on Religious Societies Lands Bill.

The Order of the day, for the House in Committee on the Bill to enable Religious Societies, of all denominations of Christians, to hold the lands requisite for certain purposes therein mentioned, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Noel*, took the chair of the committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Bill amended and agreed to by the House.

And Mr. *Noel* reported, that the committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table and agreed to by the House.

Ordered—That the said Bill, as amended, be engrossed.

House goes into Committee on Bill for payment of claims.

The Order of the day, for the House in Committee on the Bill to amend and enlarge an Act of the Legislature of the late Province of *Upper Canada*, entitled "*An Act to ascertain and provide for the payment of all just claims arising from the late Rebellion and Invasion of this Province*," being read,

The House accordingly resolved itself into the said committee.

Mr. *Turcotte* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Turcotte* reported that the Committee had gone through the Bill, and had made an amendment thereto, which amendment was again read at the Clerk's table, as followeth :—

Add to the Bill the following clause :—“ And be it enacted that the powers vested in, and duties required of the said Commissioners under the said Act, shall extend to enquire into all loss sustained by Her Majesty's subjects and other residents within that part of this Province to which the said Act extends, from the first breaking out of the said Rebellion to the passing of the said Act ; and the several claims and demands which have accrued to any such persons by such losses in respect of any loss, destruction, or damage of property occasioned by violence on the part of persons in Her Majesty's service, or by violence on the part of persons acting, or assuming to act, on behalf of Her Majesty, in the suppression of the said Rebellion, or for the prevention of further disturbances ; and all claims arising under or in respect of the occupation of any houses or other premises, by Her Majesty's Forces, either Imperial or Provincial.”

Ordered—That the question of concurrence be now put upon the said amendment.

And the said amendment having been again read, and the question of concurrence being put thereon, a division ensued, and it was carried in the affirmative.

Ordered—That the said Bill, as amended, be engrossed.

The Order of the day for the House in Committee on the Bill to enable the Ministers of all denominations of *Christians* to solemnize Marriage under certain restrictions, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Johnston* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Johnston* reported that the Committee had gone through the Bill, without making any amendment thereto, and the report was again read at the Clerk's table.

Ordered—That the said Bill be engrossed.

The Order of the day for the House in Committee on the Bill to incorporate the Ladies Benevolent Society of *Montreal*, being read—

The House accordingly resolved itself into the said Committee.

Mr. *Cameron* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Cameron* reported that the Committee had gone through the Bill without making any amendment thereto, and the Report was again read at the Clerk's table.

Ordered—That the said Bill be engrossed.

The Order of the day for the House in Committee on the Report of the Special Committee on the Bill to regulate the fisheries in the District of *Gaspé*, and on the said Bill being read,

The House accordingly resolved itself into the said committee.

Mr. *Sherwood* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair,

And Mr. *Sherwood* reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Committee to sit again on Friday	<i>Ordered</i> —That the said Committee have leave to sit again on <i>Friday</i> next.
House in Committee on Dalhousie Gaol and Court House Act	The Order of the day for the House in Committee to take into consideration the Acts of the 1st and 3rd of VICTORIA, relating to the intended District of <i>Dalhousie</i> , and the erection of a Gaol and Court House therein, being read, The House accordingly resolved itself into the said Committee. Mr. <i>Thorburn</i> took the Chair of the Committee, and after some time spent therein, Mr. Speaker resumed the Chair, And Mr. <i>Thorburn</i> reported that the Committee had come to a Resolution, which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth :—
Resolution reported	
Resolution	<i>Resolved</i> —That the acts of the 1st and 3rd years of VICTORIA relating to the erection of the intended District of <i>Dalhousie</i> , and the building of a Gaol and Court House for the said District, be amended so as to enable certain persons to raise money upon loan to complete the building of the said Gaol.
Dalhousie Gaol and Court House Bill read first time.	<i>Ordered</i> —That Mr. <i>Derbshire</i> have leave to bring in a Bill to authorize a further loan to complete the building of the Court House and Gaol for the intended District of <i>Dalhousie</i> . He accordingly presented the said Bill to the House and the same was received and read for the first time.
Second reading Monday next	<i>Ordered</i> —That the said Bill be read a second time on <i>Monday</i> next. Then on motion of Mr. <i>Thompson</i> , seconded by Mr. <i>Derbshire</i> , The House adjourned.

Jovis, 22° die Julii ;

Anno 5° Victoriae Reginae, 1841.

Pursuant to the order of the day, at 3 o'clock, P. M., the House was called.

MEMBERS ABSENT.

Members absent	Mr. <i>Aylwin</i> , (with leave.) Mr. <i>Black</i> , (with leave.) Mr. <i>Borne</i> , (not yet taken his seat.) Mr. <i>Campbell</i> , (with leave.) Mr. <i>Child</i> , (sick.) Mr. <i>Crane</i> . Mr. <i>Desrivieres</i> . Mr. <i>Hale</i> . Mr. <i>Hopkins</i> , (with leave.) Mr. <i>Jones</i> , (with leave.) Hon. Mr. <i>Killaly</i> , (sickness in his family.) Mr. <i>Kimber</i> , (with leave.) Mr. <i>McCulloch</i> . Mr. <i>D. McDonald</i> . Mr. <i>J. S. McDonald</i> . Mr. <i>McLean</i> . Mr. <i>Morris</i> , (sick.) Mr. Attorney Gen. <i>Ogden</i> . Mr. <i>Strachan</i> . Mr. <i>Taché</i> .
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The hour appointed for taking into consideration the Petition of *James Mathewson*, of the township of *Pittsburgh* and of divers Inhabitants of the county of *Frontenac*, complaining of the undue election and return of *Henry Smith*, Esquire, as a member to represent the county of *Frontenac* in the present parliament, being come,

House proceeds in trial of Frontenac contested Election.

The House proceeded to the appointment of a select committee to try and determine the merits of said Petitions.

The Sergeant at Arms was directed by Mr. Speaker to go with the Mace to the places adjacent and require the attendance of the members on the business of the House.

And he went accordingly.

And being returned, the House was called, and more than thirty members being present,

House called.

Mr. Speaker called upon the Petitioners, their Counsel or Agent, to appear at the Bar.

Christopher Armstrong Esquire, appeared at the Bar as Counsel for *James Mathewson*, the Petitioner,—and *James Mathewson*, Esquire, appeared as Agent for the Petitioners, of the County of *Frontenac*.

C. Armstrong, Esq. appears as Counsel, and J. Mathewson, Esq., as Agent for petitioners.

Mr. Speaker called upon the Sitting Member, his Counsel or Agent, to appear at the Bar.

William Ross, Esquire, appeared at the Bar as Counsel for the Sitting Member.

W. Ross, Esq. as Counsel for sitting Member.

Mr. Speaker then desired the Sergeant at Arms to lock the doors.

And the doors being locked accordingly, and the order of the day for taking the said Petitions into consideration, being read, the attestation of the Speaker was taken from off the Box in which, agreeably to the Statute, the names of all the members of the House were sealed up, and the same was read by the Clerk, as follows :—

Doors locked.
Order of day read.

“ I attest that this Box was, on the *twenty first* day of *July*, 1841, made up in my presence in the manner directed by an Act passed in the *fourth* year of the Reign of His late Majesty King *GEORGE* the *Fourth*, intituled “ *An Act to repeal an Act passed in the forty fifth year of His late Majesty’s* “ *Reign*, intituled ‘ *An Act to regulate the trial of controverted Elections or* “ *Returns of Members to serve in the House of Assembly,*’ and to make more “ *effectual provision for such trials.* ”

Attestation of Speaker.

AUSTIN CUVILLIER,

Speaker.

The Box was then opened, and the attestation of the Clerk was taken out of the Box, and read by him, as follows :—

“ I attest that I did, on *Wednesday*, the *twenty first* day of *July*, 1841, in the presence of the Speaker of this House, put into a Box in which this attestation is found, the names of all the Members composing the present Legislative Assembly, written upon slips of parchment, and rolled up, as directed by an Act passed in the *fourth* year of the Reign of His late Majesty King *GEORGE* the *Fourth*, entitled “ *An Act to repeal an Act* “ *passed in the forty fifth year of His late Majesty’s Reign*, intituled ‘ *An* “ *Act to regulate the trial of controverted Elections or Returns of Members* “ *to serve in the House of Assembly,*’ and to make more effectual provision “ *for such trials.* ”

Attestation of Clerk.

W. B. LINDSAY,

Clerk of Assembly.

The names of all the Members were taken out of the Box and put into three other Boxes.

Drawing of names
proceeded in

The drawing of the names was then proceeded in, in the usual manner. and the following names were drawn to which no objection was taken:—

1 <i>Armstrong,</i>	8 <i>Daly, Hon. D.</i>	15 <i>Hincks,</i>
2 <i>Barthe,</i>	9 <i>Day, Hon. C. D.</i>	16 <i>Moffatt, Hon. G.</i>
3 <i>Berthelot,</i>	10 <i>Draper, Hon. W. H.</i>	17 <i>Morin,</i>
4 <i>Boutillier,</i>	11 <i>Dunn, Hon. J. H.</i>	18 <i>Noel,</i>
5 <i>Buchanan,</i>	12 <i>Durand,</i>	19 <i>Roblin,</i>
6 <i>Cartwright,</i>	13 <i>Hamilton,</i>	20 <i>Harmannus Smith,</i>
7 <i>Cook,</i>	14 <i>Harrison, Hon. D.</i>	21 <i>Taschereau.</i>

Mr. Johnston set
aside as nominee

In the course of the drawing the name of Mr. *Johnston* was taken out and set aside, being chosen nominee for *James Mathewson*, the petitioner, and the name of Mr. *Price* was likewise taken out, and set aside being chosen nominee for the sitting Member.

Call of House to-
morrow

On motion of Mr. Attorney General *Draper* seconded by Mr. *Cartwright*,
Resolved—That the names of the members of this House that are now in *Kingston* be called over *to-morrow* at 3 o'clock, P. M.

Members now in
Kingston, and not
then present to be
taken into custody

Ordered—That such members, as shall not be then present, be taken into the custody of the Sergeant-at-Arms attending this House, or his Deputy.

House adjourned ac-
cording to Statute

And there not being a sufficient number of members to complete the *twenty-three*, required by the 6th section of the Act 4, GEO. IV., Cap. 4. Mr. Speaker declared the House adjourned, in conformity to the Statute in that case made and provided.

Veneris, 23^o die Julii,

Anno 5^o *Victoriae Reginae, 1841.*

Mr. Borne take his
seat.

Michel Borne, Esq., member for the County of *Rimouski*, having previously taken the oath, according to law, and subscribed before the Commissioners the Roll containing the same, took his seat in the House.

House called

Pursuant to the order of the day, at 3 o'clock, P. M., the House was called.

MEMBERS ABSENT.

Members absent.

Mr. Aylwin, (with leave.)
Mr. Black, (with leave.)
Mr. Campbell, (with leave.)
Mr. Crane.
Mr. Desrivieres.
Mr. Duggan.
Mr. Hale.
Mr. Hopkins, (sick.)
Mr. Jones, (with leave.)
Mr. Kimber, (with leave.)
Mr. McCulloch.
Mr. Morris, (sick.)
Mr. Simpson.
Mr. Strachan.
Mr. Woods.

In consequence of the adjournment of yesterday, the House again proceeded to the appointment of a Select Committee to try and determine the merits of the Petitions of *James Mathewson*, of the Township of *Pittsburg*, and of divers inhabitants of the County of *Frontenac*, complaining of the undue election and return of *Henry Smith*, Esquire, as a member to represent the County of *Frontenac*, in this present Parliament.

House again proceeds to the trial of the Election for County of Frontenac.

The Sergeant at Arms was directed by Mr. Speaker to go with the Mace to the places adjacent and require the attendance of the members on the business of the House,

And he went accordingly,

And being returned, the House was called, and more than thirty members being present,

House called.

Mr. Speaker called upon the Petitioners, their Counsel or Agent, to appear at the Bar.

Christopher Armstrong Esquire, appeared at the Bar as Counsel for *James Mathewson*, Esquire, the Petitioner; and *James Mathewson*, Esq. appeared as Agent for the Petitioners of the County of *Frontenac*.

Counsels appear at Bar

Mr. Speaker called upon the Sitting Member, his Counsel or Agent, to appear at the Bar.

Wm. Ross, Esquire, appeared at the Bar, as Counsel for the Sitting Member.

Mr. Speaker then desired the Sergeant at Arms to lock the doors,

And the doors being locked accordingly, and the order of the day for taking the said Petition into consideration being read, the attestation of the Speaker was taken from off the Box in which, agreeably to the Statute, the names of all the members of the House were sealed up, and the same was read by the Clerk, as follows:—

Doors locked.

“ I attest that this Box was, on the 22d day of *July*, 1841, made up in my presence, in the manner directed by an Act passed in the *fourth* year of the reign of His late Majesty King *GEORGE* the *Fourth*, intituled, “ *An Act to repeal an Act passed in the forty-fifth year of His late Majesty’s* reign, intituled, ‘ *An Act to regulate the trial of controverted Elections or Returns of Members to serve in the House of Assembly*’ and to make “ *more effectual provision for such trials.*”

Attestation of Speaker.

AUSTIN CUVILLIER,

Speaker.

The box was then opened, and the attestation of the Clerk was taken out of the box and read by him, as follows:—

“ I attest that I did, on *Thursday*, the 22d day of *July*, 1841, in the presence of the Speaker, of the House, put into a box in which this attestation was found, the names of all the members composing the present Legislative Assembly, written upon slips of parchment, and rolled up, as directed by an Act passed in the *fourth* year of the Reign of His late Majesty, King *GEORGE* the *Fourth*, intituled “ *An Act to repeal an Act passed in the forty-fifth year of His late Majesty’s Reign*, intituled, ‘ *An Act to regulate the trial of Controverted Elections, or Returns of Members to serve in the House of Assembly,*’ and to make more effectual provision for “ *such trials.*”

Attestation of Clerk.

W. B. LINDSAY,

Clerk of Assembly.

The names of all the members were taken out of the Box and put into three other Boxes.

The drawing of the names was then proceeded in, in the usual man-

Names drawn from which to strike a select Committee

ner, and the following names were drawn, to which no objection was taken:—

1 <i>Morin,</i>	9 <i>Cook,</i>	17 <i>Hamilton,</i>
2 <i>Roblin,</i>	10 <i>Durand,</i>	18 <i>Daly, Hon. D.,</i>
3 <i>Armstrong,</i>	11 <i>J. S. Macdonald,</i>	19 <i>Borne,</i>
4 <i>Harmanus Smith,</i>	12 <i>Day, Hon. C. D.,</i>	20 <i>Barthe,</i>
5 <i>Boutillier,</i>	13 <i>McLean,</i>	21 <i>Ogden, Hon. C. R.,</i>
6 <i>Buchanan,</i>	14 <i>Draper, Hon. W. H.,</i>	22 <i>Moffatt, Hon. G.,</i>
7 <i>Taschereau,</i>	15 <i>Harrison, Hon. S.B.,</i>	23 <i>Taché.</i>
8 <i>Noel,</i>	16 <i>Hincks,</i>	

Thirty five other names were drawn and set aside or excused, as follows:—

Eight against whom Petitions are now pending.

Twenty six serving on Election Committees.

One being upwards of sixty years of age.

Nine names were also drawn of members who were absent.

Mr. Johnston Nominee for Petitioner.

Mr. *Johnston* was chosen nominee for *James Mathewson*, the Petitioner.

Mr. Price, Nominee for sitting Member.

Mr. *Price* was chosen nominee for the Sitting Member.

Parties retire.

At 10 minutes to 4 o'clock, P. M., the parties, with Mr. *Alfred Patrick*, Clerk of the Select Committee, retired for the purpose of striking said Committee.

Clerk presents the list of members composing sel. committee.

At 5 minutes past 4 o'clock, P. M., the Clerk to the Select Committee delivered to the Clerk of the House a list containing the names of the nine members unstruck, composing the Select Committee, which is as follows:—

Names of the members remaining on the list to try the merits of the Petitions of *James Mathewson*, of the Township of *Pittsburg*, and of divers inhabitants of the County of *Frontenac*, complaining of the undue election and return of *Henry Smith*, Esquire, as a member to represent the County of *Frontenac*, in this present Parliament.

Members remaining and forming Committee

1 <i>Morin,</i>	4 <i>Buchanan,</i>	7 <i>Day, Hon. C.D.</i>
2 <i>Roblin,</i>	5 <i>Taschereau,</i>	8 <i>Hincks,</i>
3 <i>Armsrtong,</i>	6 <i>Noel,</i>	9 <i>Hamilton,</i>

Nominee for *James Mathewson*, the Petitioner, Mr. *Johnston*.

Nominee for the Sitting Member, Mr. *Price*.

ALFRED PATRICK,

Clerk to Committee.

Committee sworn.

The said nine members and the Nominees were then, severally, sworn at the Table, by the Clerk, in the usual manner.

List of Witnesses presented and read on behalf of the Petitioner James Mathewson.

Christopher Armstrong, Esquire, Counsel for *James Mathewson*, presented a list of witnesses on the part of the said *James Mathewson*, which was read by the Clerk.

William Ross, Esquire, Counsel for the Sitting Member, handed in a list of the witnesses required, in behalf of the Sitting Member, which was also read by the Clerk, as follows:—

List of Witnesses in the behalf of sitting Member.

<i>David Alexander.</i>	<i>Cornelius Vanluven.</i>	<i>James McArty.</i>	<i>Alexander Milne.</i>
<i>Samuel Moore.</i>	<i>Robert Sellars.</i>	<i>Donald McKay.</i>	<i>Andrew Hawthorn.</i>
<i>William Walker.</i>	<i>Peter C. Davis.</i>	<i>Michael Steward.</i>	<i>David Perry.</i>
<i>John Boyd.</i>	<i>Joshua Walker.</i>	<i>Samuel D. Purdy.</i>	<i>Richard Jones,</i>
<i>John Bush.</i>	<i>Robert Atkin.</i>	<i>James Shields.</i>	<i>George H. McLean.</i>
<i>Cornelius Carline.</i>	<i>Robert Curran.</i>	<i>Daniel Wartman.</i>	<i>Nicholas Mosier.</i>
<i>Allan McPherson.</i>	<i>Adam Freeturn.</i>	<i>Samuel Knapp, Sen'r.</i>	<i>Adam McMahon.</i>
<i>James Mosier.</i>	<i>Peter Wartman.</i>	<i>John Ashley.</i>	<i>David Notter.</i>
<i>Henry Dalton.</i>	<i>James Pearsons.</i>	<i>Richard Davis.</i>	<i>William Vroman.</i>
<i>George Bradley.</i>	<i>Thomas Guess.</i>	<i>Thomas A. Corbett.</i>	<i>Thomas Jenkins.</i>
<i>John Allen.</i>	<i>James Guess.</i>	<i>Reuben Spooner.</i>	<i>Joseph Corbier.</i>
<i>Christopher Lake.</i>	<i>John Shibley.</i>	<i>Jarvis Worden.</i>	<i>Thomas Baker.</i>
<i>Thomas Kelly.</i>	<i>Joseph Boice.</i>	<i>Jonas Snider.</i>	<i>William Farrell.</i>
<i>John Spring.</i>	<i>Bernard O'Connor.</i>	<i>Samuel Bullock.</i>	<i>John Gibson.</i>
<i>Thomas Home.</i>	<i>Isaac Powley.</i>	<i>Thomas McConnell.</i>	<i>William Scott.</i>
<i>George Webster.</i>	<i>Roderick Ross.</i>	<i>Thomas Denison.</i>	<i>Devis McGrath.</i>
<i>John McLellan.</i>	<i>Daniel Williams.</i>	<i>Michel O'Brien.</i>	<i>Richard Gough.</i>
<i>Patrick Doyle.</i>	<i>John Barrett.</i>	<i>Hugh McFadden.</i>	<i>Richard Draper.</i>
<i>Lawrence Rail.</i>	<i>David Lavery.</i>	<i>James McConnell.</i>	<i>Edward Cranford.</i>
<i>Gilbert Purdy.</i>	<i>George Morton.</i>	<i>Bulkley Waters.</i>	<i>Richard Rider.</i>
<i>John Mowat.</i>	<i>William Sutherland.</i>	<i>Charles Joiner.</i>	<i>George W. Yarker.</i>
<i>Matthew Carline.</i>	<i>Robert Codling.</i>	<i>Zachariah David.</i>	<i>William Brown.</i>
<i>Alexander Trotter.</i>	<i>Archibald McMillan.</i>	<i>Lewis Daily.</i>	<i>Samuel Gosline.</i>
<i>William McLaughlin.</i>	<i>Samuel Chesnut.</i>	<i>Charles Gay.</i>	<i>James Ramsay.</i>
<i>Thomas Sherman.</i>	<i>John Masson.</i>	<i>Abner Graham.</i>	<i>William Stark.</i>
<i>Thomas Milton.</i>	<i>John Strachan.</i>	<i>James Hill.</i>	<i>Robert Berth.</i>
<i>Absalom Day,</i>	<i>Walter Gorran.</i>	<i>John Leatherland.</i>	<i>Archibald Ramsay.</i>
<i>David Wader.</i>	<i>Emanuel Waggoner.</i>	<i>William Panhom.</i>	<i>John Cowan.</i>
<i>John Shephard.</i>	<i>Peter Amey.</i>	<i>Andrew McAdoo.</i>	<i>Warren Farmian.</i>
<i>John Wilmot.</i>	<i>William Ferguson.</i>	<i>Thomas Collins.</i>	<i>Alexander Cowan.</i>
<i>John Connor.</i>	<i>Oliver Boselle.</i>	<i>James McMahon.</i>	<i>Thomas Fair.</i>
<i>Samuel Mundle.</i>	<i>Peter Knapp.</i>	<i>Lewis Wadsworth.</i>	<i>Arthur Conwin.</i>
<i>John Joyce.</i>	<i>Joseph Gay.</i>	<i>Samuel Latimore.</i>	<i>Thomas Brown.</i>
<i>William Patterson.</i>	<i>John Milton.</i>	<i>James McCannor.</i>	<i>Thomas Harkin.</i>
<i>Robert Gaskin.</i>	<i>John Phair.</i>	<i>James Guess.</i>	<i>John Cowan.</i>
<i>Thomas Walker.</i>	<i>Matthew M'Kory.</i>	<i>John Noon.</i>	<i>James Cowan.</i>
<i>William Kennedy.</i>	<i>David Simkins.</i>	<i>John George.</i>	<i>George R. Morey.</i>
<i>Thomas Freeman.</i>	<i>Peter McKim.</i>	<i>John Haselip.</i>	<i>Patrick C. Murdock.</i>
<i>Lewis La Porte.</i>	<i>John McLaughlin.</i>	<i>Isaac Holmes.</i>	<i>John Goldsmith.</i>
<i>Charles Smith.</i>	<i>George Henderson.</i>	<i>Thomas Lavery.</i>	<i>John Burley.</i>
<i>James Andrews.</i>	<i>John Luncaster,</i>	<i>John Flanigan.</i>	<i>Thomas Wajer.</i>
<i>Niece McAlister.</i>	<i>Malin Knapp.</i>	<i>Francis Beniton.</i>	<i>James Chesnut.</i>
<i>Robert Dier.</i>	<i>John Herchmer.</i>	<i>Matthias Cloud.</i>	<i>Alexander Cowan.</i>
<i>Percy Deacons.</i>	<i>Mecajah Purdy.</i>	<i>Charles Hales.</i>	<i>John Campbell.</i>
<i>David Ash.</i>	<i>Thomas Ruthenford.</i>	<i>Patrick Donnelly.</i>	<i>John McCullogh.</i>
<i>Christopher Switzer.</i>	<i>Major Blacke.</i>	<i>Robert Peterson.</i>	<i>Henry Lavery.</i>
<i>John Wolfe.</i>	<i>John Jenkins.</i>	<i>Lewis Meyers.</i>	<i>George Graham.</i>
<i>Alexander Cowly.</i>	<i>John Richardson.</i>	<i>Denis Lake.</i>	<i>Felix McEvoi.</i>
<i>James Hickey.</i>	<i>Robert Forsyth.</i>	<i>Barnabas Wartman.</i>	<i>George Harper.</i>
<i>Daniel Donoghue.</i>	<i>Hugh McTigart.</i>	<i>Michael Smith.</i>	<i>Neil Neilson.</i>
<i>James Deykes.</i>	<i>William Raymond.</i>	<i>Zelotus Abbott.</i>	<i>John Joban.</i>
<i>Patrick Curtiss.</i>	<i>Hiram Spooner.</i>	<i>Elias Holmes.</i>	<i>John Harple.</i>
<i>John White.</i>	<i>Henry Wartman.</i>	<i>John Rider.</i>	<i>Christopher Julian.</i>
<i>Jacob Powley.</i>	<i>William Latimore.</i>	<i>Thomas Minnis.</i>	<i>William Sixmith.</i>
<i>Abraham Collard.</i>	<i>Peter Knight.</i>	<i>Arthur Mohon,</i>	<i>Samuel Sloane.</i>
<i>John Hare.</i>	<i>Silvanus Deo.</i>	<i>Henry Shibley.</i>	<i>John Waldron.</i>
<i>Nicholas Amey,</i>	<i>Thomas Smith.</i>	<i>Henry Shibley.</i>	<i>Samuel Anning.</i>
<i>Mathew Conkey.</i>	<i>Richard Ham.</i>	<i>William Albertson.</i>	<i>Isaiah Vanorder.</i>
<i>Lawrence Sims.</i>	<i>Abraham Vanorder.</i>	<i>William Holditch.</i>	<i>John Blake.</i>
<i>John Shibley.</i>	<i>John Abrahams.</i>	<i>James Keeley.</i>	<i>William Rea.</i>
<i>William Patterson.</i>	<i>Stephen Knight.</i>	<i>Anthony Willoughby.</i>	<i>Lewis Mosier.</i>
<i>Anthony English.</i>	<i>John Elmot.</i>	<i>George Clookey.</i>	<i>Richard Ellerbeck.</i>
<i>Daniel Hursey.</i>	<i>Daniel Wright.</i>	<i>James Fraser.</i>	<i>Thomas Graham.</i>
<i>Valentine Allen.</i>	<i>Thomas Watson.</i>	<i>George Strachan.</i>	<i>William Simkins.</i>
<i>Thomas Fraser.</i>	<i>Donald McDonald.</i>	<i>Edward Noble.</i>	<i>John Blake.</i>
<i>Lorenzo Switzer.</i>	<i>Ranald McDonald.</i>	<i>Thomas Conklin.</i>	<i>Samuel McKea.</i>
<i>Francis Guess.</i>	<i>John Hughton.</i>	<i>James Morton.</i>	<i>Allan McLean.</i>

List of Witnesses in
the behalf of sitting
Member.

Cornelius Knight.
 James Parker.
 John Ruttan.
 Henry Mullen.
 John Secomb.
 Calvin Day.
 John Bartrim.
 Mirajah B. Guess.
 Manson Powley.
 Daniel Babcock.
 John Boyd.
 John Ovens.
 David Dick.
 William Teeples.
 Mthuew Rorke.
 John Lance.
 Neil Ferris.
 Gilbert Purdy.
 William Ross.
 John Dunlop.
 Arthur Harper.
 Andrew Boyce.
 Richard Felhony.
 Denis Mahony.
 William Hoboro.
 Thomas Thomson.
 James Miller.
 Eli Peters.
 James Brown.
 Thomas Wade.
 John Campbell.
 Henry Shelton.
 Jacob Wood.
 James Wood.
 John Mills.
 William Ward.
 Hugh Campbell.
 Michael Harrington.
 Micajah Purdy.
 Joseph Bruce.
 William Cassidy.
 John Martinelle.
 Hugh McIntire.
 James Duff.
 Joseph Donoghue.
 David Lee.
 Marmaduke Wellburn.
 Jeremiah Bastome.
 Paul Hick.
 Stephen Simkins.
 James Anderson.
 William Babcock.
 Joseph Languilh.
 Daniel Grass.
 John Franklin.
 Joseph Burley.
 Hosea Purdy.
 Robert Waddington.
 Donald Beaton.
 George Hornang.
 Elias Jackson.
 John Frael.
 Alexander Lake.
 John Anderson.
 James Mullen.
 Alexander Campbell.
 William Albertson.
 Alexander Mayberry.
 Thomas Sixmith.
 James Cornell.
 Peter Murphy.
 Patrick Henry.
 John Hooper.
 Joseph Donoghue.
 Richard Draper.
 John Ferguson.
 William Coverdale.
 John A. McDonald.
 Henry Sadler.
 Robert Tolbert.
 Thos. W. Robinson.
 David J. Smith.
 Daniel Davee.
 Thomas Townsend.
 Robert McVily.
 George A. Buck.
 William Ward.
 George Marsh.
 Philander Lyons.
 William Waddington.
 Thomas Ward.
 Arthur Wright.
 James Curey.
 William Brady.
 James Hickey.
 John O'Brien.
 Jacob Finaman.
 George Amey.
 Edward O'Dogherty.
 William Wright.
 Nathaniel Huston.
 Isaac David.
 Isaac Smith.
 James McMullin.
 Thomas Kelly.
 James Todd.
 William McMullin.
 Abraham Boice.
 Lewis Clement.
 Thomas Pendergarst.
 Reuben Clark.
 George Clark.
 Archibald Cochrane.
 James Brady.
 Allan McInnis.
 Edmund O'Dogherty.
 James Noble.
 Robert Maxwell.
 Johnathan Abrahams.
 Henry Clark.
 Thomas Burrows.
 Patrick Kelly.
 Lewis Wartman.
 George W. Baldwin.
 William Keon.
 Joseph Moore.
 Samuel Moore.
 William Moore.
 William Scott.
 Cyrus Burley.
 James Hall.
 James Woodcock.
 Edward Shibley.
 Leonard Vantleuten.
 John McLeod.
 Richard Logan.
 John Switzer.
 Jacob Vosburgh.
 James Rick.
 George Gilmour.
 William Beggs.
 Geo. Vanwalkenburgh.
 William Ailey.
 Joseph Watson.
 David Snider.
 John Clark.
 Patrick Carberry.
 Charles Patterson.
 Alexander McMahou.
 Charles Dairs.
 John Graham.
 Andrew Mayne.
 James Kirk.
 Francis Dunn.
 John McLean.
 John Warner.
 Michael Flanagan.
 William Franklin.
 Clark Nicholls.
 Wallace Fairman.
 Christopher Armstrong.
 Robert Breeze.
 Hugh McRoy.
 Matthew Dunn.
 Ira Shibley.
 Barnabas Mulgrew.
 George Hart.
 Gabriel.
 Hugh Peters.
 John Kirby.
 Michael Asselstine.
 John Watkins.
 James Rorison.
 Francis Bushree.
 James Baker.
 William Stinson.
 Charles McFarland.
 John Leonard.
 Martin Cushee.
 William Johnston.
 John McGorran.
 Geoffrey Spooner.
 Daniel Caffry.
 Matheo Horne.
 George Coulson.
 James Benn.
 Robert Hughson.
 Peter McIneen.
 Roderick Rose.
 George Glasgore.
 William Marshall.
 James O'Brien.
 John Ferguson.
 Michael O'Brien.
 Neil McIntire.
 James Gardiner.
 Samuel Smith.
 William McConnell.
 William Dawson.
 Philip Wents.
 James Fisher.
 Peter Collagan.
 Horace Yeomans.
 William Beamish.
 Thomas Sparham.
 Jesse Purdy.
 John Schermahorn.
 William Rice.
 Peter Grass.
 James Baker.
 Peter Sorn.
 James Campbell.
 Joseph Taylor.
 John Grass.
 Gabriel Orser.
 John Healy.
 John A. Wright.
 Absalom Horribeck.
 William Ellerbeck.
 Philip Switzer.
 Joseph Menor.
 George Graves.
 Christopher Starworth.
 Lewis J. Day.
 James McConnell.
 William Smith.
 William Stafford.
 Henry Cole.
 William Lemoine.
 James Brown.
 Benjamin Soles.
 James Henry.
 Terrence McGarvey.
 Samuel Abbott.
 Aaron Spike.
 John Swift.
 Merritt Simkins.
 John Richards.
 Robert Splane.
 Wilson Nelson.
 T. H. Lockwood.
 Ryan Spike.
 Francis Vandewater.
 Samuel Babcock.
 John Ferguson.
 Jacob Snider.
 David Wood.
 John Day.
 John Meizler.
 James Gordon.
 John C. Shelbz.
 Luke C. Carscallan.
 Davis Boyce.
 Joseph Nickalls.
 David Hodge.
 Peter Perry.
 Israel Blake.
 Henry Baker.
 Richard Wade.
 Robert Hughes.
 Henry Jackson.
 John Jackson.
 Paul Perry.
 James Lily.
 James Hogle.
 William Leonard.
 John G. Worden.
 Nathaniel J. Hatch.
 Francis Kelly.
 William A. Wood.
 Peter Storms.
 Jehiel Clark.
 George Walker.
 Stephen Bridger.
 Joseph McGorran.
 Henry Bartram.
 John B. Pontley.
 William Powley.
 Joseph McLean.
 John Bailey.
 George Buck.
 James Kirkpatrick.
 George Ashley.
 John Patterson.
 Richard Scobell.
 John Hudson.
 Charles Nash.
 John Dawson.
 John Knapp.
 Samuel Purdy.
 Patrick Bensam.
 George Graham.
 J. Tyler Barrett.
 Tunis Buck.
 Hugh Madden.
 William Cashman.
 Isaac Lake.
 James Booth.
 Henry Wood.
 John Braden.
 William Braden.
 Henry Clark.
 Michael Keon.
 Isaac Bond.
 William Soles.
 Henry Benjamin.
 Ebenezer Adzit.

Philip Brewer.
Thomas Rogers.
James McKay.
John McArthur.
John Walker.
James Harding.
Brook.
Joseph Gags.
John Paterson.
John Harkes.
John Midcalf.
Charles Callaghan.
George Graves.
Daniel Wright.
Dennis Lucas.
Alexander McGinnis.
William Ford.
William Henry.
Tunis Snook.
Samuel Campbell.
Cory Ferris.
Adam Laidlow.
John McKnight.
John Willet.
John Matthews.
Barnabas Freeman.
John Freeman.
Walter Eales.
Hiram Spooner.
Charles Powley.
David Kelly.
Benjamin Babcock.
John Ward.
James Hunter.
Samuel Yeomans.
Henry Harper.
Abraham Holmes.
Albert McMichael.

Thomas Moon.
Archibald McIntire.
James Teeple.
James English.
Robert Smith.
Michael O'Brien.
Duncan Beith.
Thomas Mostyn.
John Vincent.
Samuel Shaw.
Isaac Orser.
William Lake.
Valentine Stover.
William Miller.
William Mayne.
Joseph Welsh.
Hugh McGuire.
John Duffy.
James B. Clark.
Peter Huffman.
Archibald McDonell.
William Scott.
Samuel Rees.
Luke Barrett.
James McGaghy.
William Duff.
Thomas Guiley.
George Oliver.
Simeon Spooner.
Robert Taylor.
William Campbell.
Charles Everitt.
Cornelius Hughston.
Guy Leonard.
Peter Bates.
Robert Rice.
John Orser.
George Home.
James Mcagher.
Joseph Leonard.

Samuel Holditch.
John Scott.
George Bott.
Moses Spike.
Robert Rose.
John Wilson.
Alexander Spike.
John Counter.
Christopher Woodcock.
William Bond.
John Cordeux.
James Hartley.
Alexander Campbell.
Joseph Ferris.
Frederick Buck.
John Gates.
James Connor.
James Hardy.
Peter Benson.
Michael Smith.
John Peters.
John C. Ruttan.
James Acheson.
Jonathan Houghton.
Edward McKew.
Thomas Goran.
Edward C. Carscallan.
Archibald Smith.
William Judge.
David Foot.
Joel Sturgess.
Thomas McDonough.
William Laycock.
Andrew Dunbar.
Samuel Jackson.
Thomas Wilson.
Patrick Murphy.
David McDonell.
Thomas McKutcheon.

John Patterson.
Philip Buck.
John Silter.
Nicholas Amey.
Enoch F. Dunham.
Lewis Nedow.
John Rutter.
Henry Dordie.
Robert McDowall.
Benjamin Olcott.
John Charlton.
Miles Fisk.
John Chapman.
James Sampson.
Francis M. Hill.
William B. Smyth.
Henry W. Benson.
Robert Talbot, Jr.
Stephen Aykroyd.
Samuel Knapp.
George Coulter.
Jacob Shibley.
Peter Stitzer.
Samuel Smyth.
Charles Clark.
William Talbot.
Jacob Shibley.
Abraham Storms.
David Purdy.
Patrick Daly.
John Hamilton.
Thomas Braden.
Bernard Leonard.
Christopher Fegan.
William Abrahams.
Dennis Kelly.
Absalom Daly.
Barnabas Spooner.
David Daly.

Last of Witnesses in
the behalf of sitting
Member.

On motion of Mr. Johnston, seconded by Mr. Hamilton,

Ordered—That the Committee appointed to try the merits of the Petitions of James Mathewson, of the Township of Pittsburg, and of divers Inhabitants of the County of Frontenac, complaining of the undue election and return of Henry Smith, Esquire, do now meet in a Committee room of this House.

Committee to meet
forthwith.

Sir Allan McNab moved, seconded by Mr. De Salaberry,

That this House do nominate and appoint, under the hand and seal of the Speaker, three Commissioners for the purpose of examining the witnesses of the parties in the matter of the controverted election for the County of Hastings, and that Charles O. Benson, Esquire, Lewis Walbridge and Billa Flint, Esquires, be such Commissioners, who shall be authorized and empowered to hold their sittings at Belleville, on Monday, the 2d day August next, with Lewis Walbridge, Esquire, as Chairman of the said Commission.

Motion for appointing
a Commission to take
evidence in the matter
of the Hastings-contest-
ed Election.

The question having been put upon the said motion, a division ensued, and it passed in the negative.

Motion lost.

The following petitions were severally brought up, and laid on the table:—

Petitions brought up.

By Mr. Harmanus Smith—The Petition of the Fire Company, and of the Magistrates of the Town of Brantford—and the Petition of Andrew Millar, of Hamilton, Gore District, Land Surveyor.

Of Fire Company and
Magistrates of Brant-
ford.
Andrew Millar.

By Mr. Price—The Petition of Peter Leppard, of East Gwillimbury, Home District—and the Petition of James Stocks, and others, of the Township of Etobicoke, Home District.

Peter Leppard.
Jas Stocks and others.

By the Honourable Mr. Viger—The Petition of Louis Norreau, of the Parish of St. Roch's of Quebec, late Messenger of the Legislative Council of Lower Canada.

Louis Norreau.

- Felicité Morin. By Mr. *Morin*—The Petition of *Felicité Morin*, of the City of *Montreal*.
- G. P. Wilgress. By Mr. *Delisle*—The Petition of *G. P. Wilgress*, and others, of the Parish of *Lachine*.
- A. A. Adams and others. By Mr. *Cameron*—The Petition of *A. A. Adams*, and others, inhabitants of the Township of *Barnston*, in the County of *Stunstead*.
- Geo. Babcock and others. By Mr. *Prince*—The Petition of *George Babcock*, and others, of the Town of *Brantford*, and other places, stage proprietors and mail contractors.
- John Burn and others. By Mr. *Hincks*—The Petition of *John Burn*, and others, inhabitants of the Township of *Durham*.
- William Bowron and others. By Mr. *Dunscomb*—The Petition of *William Bowron*, Esquire, and others, of *Godmanchester*, and other places, in the County of *Beauharnois*.
- Archibald McDonell and others. By Mr. *Johnston*—The Petition of *Archibald McDonell*, and others, of the Townships of *Glanchester*, *Osgoode* and *Russell*.
- J. W. Woolsey, Esq and others. By Mr. *Neilson*—The Petition of *J. W. Woolsey*, Esquire, and others, of *Quebec*.
- Thos. Carr, senior, & others. By Mr. *Gilchrist*—The Petition of *Thomas Carr*, Senior, and others, inhabitants of *Otanabee*, and other Townships.

Motion for a new Commission to issue for the examination of Witnesses in the matter of the Niagara contested Election.

Mr. *Small* moved, seconded by Mr. *Hermanus Smith*,
That the commission lately issued for the examination of witnesses, upon the Petition complaining of the undue election and return of *Edward Clarke Campbell*, Esquire, Sitting Member for the Town of *Niagara*, having been returned unexecuted, a new commission, for the purpose aforesaid, do issue forthwith, directed to *John Shuter Smith*, of the City of *Toronto*, Esquire, *Alexander Grant*, of the same place, Esquire, and *Wm. M. Gorrie*, of the Town of *Niagara*, Gentleman, to meet at the Town of *Niagara*, on *Monday*, the 26th instant—returnable on or before *Monday*, the 2d day of *August* next—and that *John Shuter Smith*, Esquire, be chairman of the said commission.

Amendment to foregoing

Mr. *Thorburn* moved in amendment, seconded by Mr. *Cartwright*,
That the words "*Monday*, the 2d day of *August*," be struck out of the said motion, and that "*Tuesday*, the 10th day of *August*," be substituted, and that the name of "*William M. Gorrie*, of the Town of *Niagara*, Gentleman," be struck out, and the name of "*Lorenzo D. Raymond*, of the Village of *St. Catharines*, Esquire," substituted.

Question of Amendment put.

The question having been put upon the motion of amendment, a division ensued, and the names being called for, they were taken down, as followeth:—

YEAS.

<i>Boswell,</i>	<i>Draper, Hon. W. H.</i>	<i>McLean,</i>	<i>Robertson,</i>
<i>Buchanan,</i>	<i>Dunscomb.</i>	<i>Moffatt, Hon. G.</i>	<i>Steele,</i>
<i>Burnet,</i>	<i>Foster,</i>	<i>Moore,</i>	<i>Thompson,</i>
<i>Cameron,</i>	<i>Gilchrist,</i>	<i>Ogden, Hon. C. R.</i>	<i>Thorburn,</i>
<i>Cartwright,</i>	<i>Harrison, Hon. S. B.</i>	<i>Parke,</i>	<i>Watts,</i>
<i>Daly, Hon. D.</i>	<i>Holmes,</i>	<i>Powell,</i>	<i>Williams,</i>
<i>Day, Hon. C. D.</i>	<i>Johnston,</i>	<i>Prince,</i>	<i>Yule.—30.</i>
<i>De Salaberry,</i>	<i>McDonald, (Clen.)</i>		

NOES.

<i>Baldwin,</i>	<i>Christie,</i>	<i>McNab, Sir A. M.</i>	<i>Small,</i>
<i>Barthe,</i>	<i>Cook,</i>	<i>Merritt,</i>	<i>Smith, (Went.)</i>
<i>Berthelot,</i>	<i>Delisle,</i>	<i>Morin,</i>	<i>Taché,</i>
<i>Borne,</i>	<i>Dunn, Hon. J. H.</i>	<i>Neilson,</i>	<i>Taschereau,</i>
<i>Boutillier,</i>	<i>Duraud,</i>	<i>Parent,</i>	<i>Turcotte,</i>
<i>Chesley,</i>	<i>Hamilton,</i>	<i>Price,</i>	<i>Viger, Hon. D. B.</i>
<i>Child,</i>	<i>Hincks,</i>	<i>Raymond,</i>	<i>(27.)</i>

So it was carried in the affirmative.

The question being then put upon the main motion, as amended, it was unanimously agreed to, and
Resolved, accordingly.

Amendment carried.

Main Motion amended carried.

On motion of Mr. *Merritt*, seconded by Mr. *Boswell*,

Ordered—That the Committee appointed to try and determine the merits of the Petition of *T. Parker*, and others, of the County of *Hastings*, in the District of *Victoria*, complaining of the undue election and return of *Robert Baldwin*, Esquire, as a member to represent the County of *Hastings* in the present Parliament, have leave to adjourn until the 2d day of *August* next.

Hastings Election Committee have leave to adjourn till 2d August.

Sir *Allan McNab* moved, seconded by Mr. *Buchanan*,

That the Message from the Honourable the Legislative Council, of *Wednesday* last, relating to the Bill entitled "*An Act for preventing any failure of Justice, in respect of complaints of undue Elections or Returns of Members of the Legislative Assembly of this Province at the last General Election,*" be referred to a Committee of nine members, with instructions to prepare and report, with all convenient speed, a statement of the grounds upon which this House proceeded in passing the said Bill—and that Mr. *Buchanan*, Mr. *Neilson*, Mr. *Thorburn*, Mr. *Baldwin*, Mr. *Roblin*, Mr. *Sherwood*, Mr. *Morin* and Mr. *Boswell*, do compose the said Committee, and that the 77th Rule of this House be dispensed with, in so far as relates to the appointment of this Committee.

Motion for referring Message from Legislative Council relating to Bill to prevent failure of Justice in relation to the late Elections in Lower Canada, to a Special Committee instructed to prepare statement of grounds and reasons for passing said Bill.

Mr. *Cartwright* moved in amendment, seconded by the Honorable Mr. *Moffatt*,

Amendment proposed.

That the documents and evidences in the possession of this House, on which this House passed the Bill entitled "*An Act for preventing any failure of Justice in respect of complaints of undue Elections or Returns of Members of the Legislative Assembly of this Province at the last General Election,*" be communicated to the Honourable the Legislative Council, by Message.

The question having been put upon the motion of amendment, a division ensued, and the names being called for, they were taken down, as followeth:—

YEAS.

<i>Cameron,</i>	<i>Derbshire,</i>	<i>Holmes,</i>	<i>Robertson,</i>
<i>Cartwright,</i>	<i>Draper,</i>	<i>Hon. W. H. Johnston,</i>	<i>Steele,</i>
<i>Chesley,</i>	<i>Dunn,</i>	<i>Hon. J. H. McLean,</i>	<i>Watts,</i>
<i>Daly, Hon. D.</i>	<i>Foster,</i>	<i>Moffatt, Hon. G.</i>	<i>Williams,</i>
<i>Day, Hon. C. D.</i>	<i>Gilchrist,</i>	<i>Ogden, Hon. C.R.</i>	<i>Yule.—23.</i>
<i>Delisle,</i>	<i>Harrison,</i>	<i>Hon. S.B. Parke,</i>	

House divides on Question of amendment.

NOES.

<i>Armstrong,</i>	<i>Christie,</i>	<i>Parent,</i>	<i>Smith, (Fron.)</i>
<i>Baldwin,</i>	<i>Cook,</i>	<i>Powell,</i>	<i>Smith, (Went.)</i>
<i>Barthe,</i>	<i>Durand,</i>	<i>Price,</i>	<i>Sherwood,</i>
<i>Berthelot,</i>	<i>Hincks,</i>	<i>Prince,</i>	<i>Taché,</i>
<i>Borne,</i>	<i>McNab, Sir A.N.</i>	<i>Quesnel,</i>	<i>Thompson,</i>
<i>Boswell,</i>	<i>Merritt,</i>	<i>Raymond,</i>	<i>Thorburn,</i>
<i>Boutillier,</i>	<i>Morin,</i>	<i>Roblin,</i>	<i>Turcolte,</i>
<i>Buchanan,</i>	<i>Neilson,</i>	<i>Ruel,</i>	<i>Viger, Hon. D.B.</i>
<i>Burnet,</i>	<i>Noel,</i>	<i>Small,</i>	<i>Woods.—37.</i>
<i>Child,</i>			

So it passed in the negative.

The question being then put upon the main motion, a division also ensued, and the names being called for, they were taken down, as followeth:—

YEAS.

House divided on main motion

<i>Armstrong,</i>	<i>Christie,</i>	<i>Parent,</i>	<i>Smith, (Front.)</i>
<i>Baldwin,</i>	<i>Cook,</i>	<i>Powell,</i>	<i>Smith, (Went.)</i>
<i>Barthe,</i>	<i>Darand,</i>	<i>Price,</i>	<i>Sherwood,</i>
<i>Berthelot,</i>	<i>Hincks,</i>	<i>Prince,</i>	<i>Taché,</i>
<i>Borne,</i>	<i>McNab, Sir A.N.</i>	<i>Quesnel,</i>	<i>Thompson,</i>
<i>Boutillier,</i>	<i>Merritt,</i>	<i>Raymond,</i>	<i>Thorburn,</i>
<i>Buchanan.</i>	<i>Morin,</i>	<i>Roblin,</i>	<i>Turcotte,</i>
<i>Burnet,</i>	<i>Neilson,</i>	<i>Ruel,</i>	<i>Viger, Hon. D.B.</i>
<i>Child,</i>	<i>Noel,</i>	<i>Small,</i>	<i>Woods.—36.</i>

NOES.

<i>Boswell,</i>	<i>Delisle,</i>	<i>Harrison, Hon. S.B. Parke,</i>
<i>Cameron,</i>	<i>Derbshire,</i>	<i>Holmes,</i>
<i>Cartwright,</i>	<i>Draper, Hon. W.H.</i>	<i>Johnston,</i>
<i>Chesley,</i>	<i>Dunn, Hon. J.H.</i>	<i>McLean,</i>
<i>Daly, Hon. D.</i>	<i>Foster,</i>	<i>Moffatt, Hon. G.</i>
<i>Day, Hon. C. D.</i>	<i>Gilchrist,</i>	<i>Ogden, Hon. C. R.</i>
		<i>Robertson,</i>
		<i>Steele,</i>
		<i>Watts,</i>
		<i>Williams,</i>
		<i>Yule.—24.</i>

Main motion carried.

So it was carried in the affirmative, and *Resolved*, accordingly.

Victoria College Bill read third time and passed

An engrossed Bill to incorporate the *Upper Canada Academy* under the name and style of "*Victoria College*," was read for the third time.

Resolved—That the Bill do pass.

Ordered—That Mr. *Boswell* do carry the said Bill to the Legislative Council and desire their concurrence.

Societies Lands Bill read the third time and passed.

An engrossed Bill to enable Religious Societies of all denominations of Christians to hold the lands requisite for certain purposes therein mentioned, was read for the third time.

Resolved—That the Bill do pass.

Ordered—That Mr. *Williams* do carry the said Bill to the Legislative Council and desire their concurrence.

Bill to enable Ministers of all denominations to solemnize matrimony read third time and passed.

An engrossed Bill to enable the Ministers of all denominations of Christians to Solemnize Marriage, under certain restrictions, was read for the third time.

Resolved—That the Bill do pass.

Ordered—That Mr. *Small* do carry the said Bill to the Legislative Council, and desire their concurrence.

Members seats vacation Bill read third time and passed.

An engrossed Bill to enable members of the Legislative Assembly, for places within that part of the Province formerly constituting the Province of *Upper Canada*, to vacate their seats in certain cases, and for other purposes, was read for the third time.

Resolved—That the Bill do pass.

Ordered—That Mr. *Small* do carry the said Bill to the Legislative Council, and desire their concurrence.

Bill for payment of Claims read third time and passed.

An engrossed Bill to amend and enlarge an Act of the Legislature of the late Province of *Upper Canada*, entitled "*An Act to ascertain and provide for the payment of all just claims arising from the late Rebellion and Invasions of this Province*," was read for the third time.

Resolved—That the Bill do pass.

Ordered—That Mr. *Prince* do carry the said Bill to the Legislative Council, and desire their concurrence.

An engrossed Bill to incorporate the Ladies Benevolent Society of *Montreal*, was read for the third time.

Resolved—That the Bill do pass.

Ordered—That the Honourable Mr. *Moffatt* do carry the said Bill to the Legislative Council, and desire their concurrence.

Bill incorporate Ladies Benevolent Society of Montreal read third time and passed.

Pursuant to the Order of the day, the following Petitions were read:—

Petitions read.

Of the Reverend *Joseph Abbott*, and other Protestant Inhabitants of the Township of *Grenville*, praying for the establishment of Schools, and that the Bible may be used as a Class Book in the said Schools.

Of Rev. Jos Abbott and others.

Of the Reverend *William Muir*, and others, of the Township of *Chatham*, in the County of *The Lake of Two Mountains*, praying for the promotion of Education in the Province, and assistance for a School in the 3d Range, in the Township of *Chatham*.

Of Rev. Wm. Muir and others.

Of *Joseph Huston*, and others, of the Township of *Chatham*, in the County of *The Lake of Two Mountains*, praying for assistance for a Common School, and the promotion of education throughout the Province.

Of Joseph Huston and others.

Of *Thomas Hains*, and others, inhabitants of the townships of *Grenville* and *Chatham*, praying that the Act 6 WILL. 4, Cap. 17, entitled, "*An Act to provide for the summary trial of small causes*," be revived.

Of Thos. Hains and others.

Of *Thomas Barron*, and others, of the county of *The Lake of Two Mountains*, praying for the renewal of an Act repealed, entitled "*An Act for the summary trial of small causes*."

Of Thomas Barron & others.

Of *William Ginger* of *Quebec*, praying that a pension may be granted to him for past services.

Of Wm. Ginger.

Of *Thomas Carr*, and others, of the township of *Otanabee*, praying for a sum of money to construct an embankment over the river *Otanabee*.

Of Thos. Carr and others.

Of *John Bonner*, and *William Petry*, of *Quebec*, respecting a Patent for land in free and common Soccage, and praying relief.

Of John Bonner and William Petry.

Of *Alfred Todd*, *Thaddeus Patrick*, and *Charles Fitzgibbon*, Clerks in the office of the Clerk of the Legislative Assembly, stating that in consequence of the consolidation of the offices of the two Legislatures of *Upper* and *Lower Canada*, the permanent Clerks of both Houses of Assembly have been considered too many for the duties required in the office of the present Legislative Assembly, thereby depriving Petitioners of the standing they formerly held in the office of the House of Assembly of *Upper Canada*, and praying relief in the premises:

Of Alfred Todd, T. Patrick & Charles FitzGibbon.

Of *Joseph B. Clench*, Chairman of the Quarter Sessions of the District of *London*, praying for an additional sum to that already granted, for the completion of a new Gaol in the Town of *London*.

Of Jos. B. Clench, Chairman of Quarter Sessions London District.

Of *David Annis*, of the township of *Whitby*, protesting against an application to incorporate a Harbour Company in the *Eastern* part of the Township, the applicants having included Lot No. 5, his own property.

Of David Annis.

Of *George Adams*, and others, Trustees to macadamize the main road from *Queenston* to *Grimsby*, praying for an aid to complete said road.

Of Geo. Adams and others.

Of *C. S. Ruttan*, and others, of the Townships of *Eldon*, *Mariposa*, and other places, praying for a grant of money to improve the road from *Talbot* river to *Sydenham* Harbour.

Of C. S. Ruttan.

Of the ladies Managers of the Male Orphan Asylum of *Quebec*, praying for an aid towards the support of that Institution.

Of the Ladies managers of Male Orphan Asylum of Quebec.

Of *M. F. Whitehead* and others, members of the Mechanics' Institute at *Port Hope* in the district of *Newcastle*, praying for a grant of £40 in support of their Institution.

Of Marcus F. Whitehead and others.

Ordered—That the Petition of *David Annis*, of the Township of *Whitby*, be referred to the Select Committee to which was referred the

Petition of David Annis referred.

Petition of *A. M. Farewell, Abraham Butterfield*, and others, of the townships of *Whitby* and *Darlington*.

Petition of Board of Trade Montreal referred to a Special Committee.

On motion of the Honourable Mr. *Moffatt*, seconded by Mr. *Holmes*,
Resolved—That the Petition of the Board of Trade of *Montreal*, praying for a grant of money to improve the Channel in Lake *St. Peter*, be referred to a Committee of seven members, consisting of the Honourable Mr. *Killaly*, Mr. *Neilson*, Mr. *Dunscomb*, Mr. *Quesnel* Mr. *Buchanan*, and Mr. *Merritt*, to examine the contents thereof, and to report thereon with all convenient speed, with power to send for persons, papers, and records, and that the 77th Rule of this House be dispensed with, in so far as relates to the appointment of this Committee.

Special Committee report on Petition of inhabitants of Saguenay a Bill relating to Winter Vehicles, which was read first time.

Mr. *Parent*, from the Special Committee to which was referred that part of the Petition of divers inhabitants of the county of *Saguenay*, relating to Winter Vehicles, with power to report by Bill or otherwise, presented to the House a Bill to exempt the inhabitants of the county of *Saguenay* from the operation of certain ordinances therein mentioned, which was received and read for the first time.

Second reading Wednesday.

Ordered—That the said Bill be read a second time on *Wednesday* next.

Statement of probable Revenue and expenditure to be printed.

The Honourable Mr. *Harrison* moved, seconded by Mr. Solicitor General *Day*—That 200 copies of the statement of the probable revenue and expenditure of the Province, and estimate of expenditure to 31st *December*, 1841, laid before the House on the 20th instant, be printed in each of the *French* and *English* languages, for the use of the members of this House.

The question having been put upon the said motion, a division ensued, and it was carried in the affirmative.

Ordered—Accordingly.

Time for considering the matter of the York contested election postponed till 16th August.

On motion of the Honorable Mr. *Harrison*, seconded by Mr. Solicitor General *Day*,

Ordered—That the time fixed by the order of this House of the 28th *June* last, for taking into consideration the Petitions of Electors of the 2nd. Riding of the County of *York*, and of *Connell James Baldwin*, Esquire, complaining of the undue Election and Return of *George Duggan*, Esquire, be extended until *Monday* the 16th day of *August* next.

Order of Day for Committee of whole on Report of Select Committee on Petition of Felix Lussier and others revived.

On motion of the Honorable Mr. *Viger*, seconded by Mr. *Baldwin*,
Ordered—That the order of the day for the House in Committee on the report of the Select Committee to which was referred the Petition *Felix Lussier*, Esq., and others, Proprietors and Inhabitants of the County of *Verchères*, and other references, lost by the adjournment of yesterday, be revived, and that this House will, on *Friday* next, resolve itself into the said Committee.

Order of Day for Committee of whole on Board of Works Bill, revived to be 1st Order on Tuesday next.

On motion of Mr. Solicitor General *Day*, seconded by the Honorable Mr. *Harrison*,

Ordered—That the order of the day for the House in Committee on the Bill to repeal certain ordinances therein mentioned, and to establish a Board of Works in this Province,—lost by the adjournment of the House of *Thursday* last, be revived, and that this House will, on *Tuesday* next, resolve itself into the said Committee, and that it be then the first order of the day.

On motion of the Honorable Mr. *Harrison*, seconded by Mr. Solicitor General *Day*,

Ordered—That the order of the day for the House in Committee on the Bill to secure and confer upon certain Inhabitants of this Province, the civil and political rights of natural born *British* Subjects, lost by the adjournment of the House of yesterday, be revived, and that this House will on *Tuesday* next, resolve itself into the said Committee.

Order of the day for Committee of whole on Civil rights Bill revived.

On motion of the Honorable Mr. *Harrison*, seconded by Mr. Solicitor General *Day*,

Ordered—That the order of the day for the House in Committee on the Bill to repeal the Laws now in force in that part of this Province formerly called *Upper Canada*, for the recovery of small debts, and to make other provisions therefor, lost by the adjournment of the House of yesterday, be revived, and that this House will, on *Tuesday* next, resolve itself into the said Committee.

Order of the day for Committee of whole on small debts Bill, revived.

On motion of the Honorable Mr. *Harrison*, seconded by Mr. *Merritt*,

Ordered—That the order of the day for the House in Committee to take into consideration the expediency of granting a sum of money to purchase the private shares in the *Welland Canal*, lost by the adjournment of the House of yesterday, be revived, and that this House will, on *Tuesday* next, resolve itself into the said Committee.

Order of day for Committee of whole on the purchasing private shares of Welland Canal stock revived.

Ordered—That Mr. *Roblin*, have leave to bring in a Bill to grant authority to licensed Surveyors to administer an oath in certain cases, and to protect them while in the discharge of their duty, in surveying lands.

Bill granting authority to licensed Surveyors to administer an oath brought in and read 1st, time.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Ordered—That the said Bill be read a second time on *Wednesday* next.

Second reading Wednesday next.

On motion of Mr. *Roblin*, seconded by Mr. *Johnston*,

Resolved—That this House will, on *Monday* next, resolve itself into a Committee of the whole House to take into consideration the propriety of amending the Laws now in force respecting the Boundary line Commissioners within the *Western* part of *Canada*.

House to go into Committee of whole on Boundary line Commissioners Law, on Monday next.

On motion of Mr. *Merritt*, seconded by Mr. *Thorburn*,

Resolved—That the Message of His Excellency, the Governor General, in answer to the address of this House of the 14th instant, on the subject of an address of the House of Assembly of *Upper Canada*, relating to the introduction of the products of the Province into the Ports of *Great Britain* free of duty, be referred to a Committee composed of the Honorable Mr. *Harrison*, Mr. *Morin*, Mr. *Prince*, the Honorable Mr. *Moffatt*, Mr. *Roblin*, Mr. *Borne*, Mr. *Powell*, Mr. *Taschereau*, and Mr. *Thompson*, to report thereon, from time to time; with power to send for persons, papers, and records, and that the 77th rule of this House, be dispensed with in so far as relates to the appointment of this Committee.

Message of His Excellency the Governor General, relating to the admission of the products of this Province into the Ports of Great Britain, free of duty, referred to Committee.

On motion of Mr. *Prince*, seconded by Mr. *Thorburn*,

Ordered—That the further consideration of the Petition of *Alphonso Wells*, Esquire, presented to the House on the 25th of *June* last, complaining of the undue Election and return of *Stephen Sewell Foster*, Esquire, as a Member for the County of *Shefford*, be discharged, the Petitioner having desired that it should be so discharged.

Petition against the election of Doctor Foster discharged.

On motion of Mr. *Prince*, seconded by Mr. *DeSalaberry*,

Ordered—That the order of this House of the 15th instant, "That the Petitioners against the late Election for the County of *St. Maurice*,

Order of House for delivering to Clerk list of the witnesses

required in the matter of the contested election for St. Maurice extended to 2nd August next.

“ and also the sitting Member, do deliver to the Clerk of this House, on “ or before the 24th day of *July* instant, a list of the Witnesses whom “ they mean to produce on the trial of the said controverted Election,” be extended until the 2nd day of *August* next.

When House adjourns it will adjourn until Monday next.

Mr. *Henry Smith* moved, seconded by Mr. *Taschereau*, that when this House doth adjourn, it will adjourn until *Monday* next.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth :

YEAS.

<i>Baldwin,</i>	<i>De Salaberry,</i>	<i>Moffatt, Hon. G.</i>	<i>Ruel,</i>
<i>Barthe,</i>	<i>Dunscomb,</i>	<i>Moore,</i>	<i>Smith, (Fron.)</i>
<i>Berthelot,</i>	<i>Foster,</i>	<i>Morin,</i>	<i>Sherwood,</i>
<i>Borne,</i>	<i>Gilchrist,</i>	<i>Neilson,</i>	<i>Taché,</i>
<i>Boswell,</i>	<i>Harrison, Hon. S.B. Noel,</i>	<i>Price,</i>	<i>Taschereau,</i>
<i>Buchanan,</i>	<i>Hincks,</i>	<i>Prince,</i>	<i>Viger, Hon. D.B.</i>
<i>Cameron,</i>	<i>Holmes,</i>	<i>Quesnel,</i>	<i>Watts,</i>
<i>Cartwright,</i>	<i>MacNab, Sir A.N.</i>		<i>Woods.—33.</i>
<i>Day, Hon. C.D.,</i>			

NOES.

<i>Armstrong,</i>	<i>Durand,</i>	<i>Merritt,</i>	<i>Small,</i>
<i>Boutillier,</i>	<i>Johnston,</i>	<i>Parent,</i>	<i>Thompson,</i>
<i>Burnet,</i>	<i>Macdonald, (Glen.)</i>	<i>Raymond,</i>	<i>Thorburn,</i>
<i>Christie,</i>	<i>McLean,</i>	<i>Roblin,</i>	<i>Williams.—17.</i>
<i>Cook,</i>			

So it was carried in the affirmative and,
Ordered—Accordingly.

On motion of Mr. *Boutillier*, seconded by Mr. *Taschereau*.

Address to be sent to His Excellency, for information in relation to Stipendiary Magistrates, Police officers, &c.

Resolved—That an humble address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House a statement of the number of Stipendiary Magistrates who have been appointed and employed, and of the Police Officers and men employed since its establishment in that part of the Province lately *Lower Canada*; and also a statement of the several localities, in which such Magistrates, Officers, and Men, have been stationed, and of the annual expense of the Police establishment generally.

Ordered—That the said address be presented to His Excellency by such Members of this House as are of the Honourable the Executive Council of this Province.

Warehousing Bill read a second time.

A Bill to extend the benefit of the warehousing system, established by a certain Act of the Imperial Parliament, passed in the Session held in the 3d and 4th years of His late Majesty's Reign, to duties imposed by Provincial Acts, was, according to order, read a second time.

Ordered—That the said Bill be referred to a Committee of the whole House on *Friday* next

Motion for House to go into Committee on Timber Trade.

Mr. *Cameron* moved, seconded by Mr. *Price*, that the Order of the day for the House in Committee to take into consideration the Petition of *William Walker*, and other Inhabitants, of the City of *Quebec*, relating to the Timber Trade, be read, and that this House do now resolve itself into the said Committee.

The question having been put upon the said motion, a division ensued, and it was carried in the negative.

Lost.

A Bill to settle by a more easy and less expensive mode, than now by Law exists, the damages which have been, or may hereafter be, sustained by the proprietors of Land overflowed by means of the erection of Mill-Dams, was, according to order, read a second time,

Ordered—That the said Bill be referred to a Committee of the whole House, on *Wednesday* next.

A Bill to authorize the voting by Ballot was, according to order, read a second time.

Mr. *Small* moved, seconded by Mr. *Parent*, that the said Bill be referred to a Committee of the whole House on *Wednesday* next.

The Question having been put upon the said motion, a division ensued, and it was carried in the affirmative.

Ordered—Accordingly.

A Bill for the relief of disabled and infirm persons, was, according to order, read a second time.

Mr. *Merritt* moved, seconded by Mr. *Roblin*, that the said Bill be now referred to a Committee of the whole House.

The question having been put upon the said motion, a division ensued, and it passed in the negative.

The order of the day for the House in Committee to take into consideration the propriety of repealing or amending certain parts of an Act of the Parliament of the late Province of *Upper Canada*, intituled "*An Act to alter the mode of payment of wages to Members of the House of Assembly*," being read.

The House accordingly resolved itself into the said Committee.

Mr. *Roblin*, took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair,

And Mr. *Roblin*, reported that the Committee had come to several Resolutions which he was directed to submit to the House whenever it shall be pleased to receive the same.

Ordered—That the report be received on *Monday* next.

The Order of the day for the House in Committee on the Bill for incorporating the *Canada* Fire Assurance Company, being read.

The House accordingly resolved itself into the said Committee.

Mr. *Durand*, took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair,

And Mr. *Durand* reported that the Committee had gone through the Bill without making any amendment thereto, and the report was again read at the Clerk's table.

Mr. *Dunscob* moved, seconded by Sir *Allan MacNab*, that the said Bill be engrossed.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:

YEAS.

<i>Baldwin,</i>	<i>Derbshire,</i>	<i>Hincks,</i>	<i>Quesnel,</i>
<i>Boswell,</i>	<i>Draper,</i>	<i>Hon. W. H. Johnston,</i>	<i>Roblin,</i>
<i>Boutillier,</i>	<i>Dunscob,</i>	<i>McNab, Sir A. N.</i>	<i>Small,</i>
<i>Buchanan,</i>	<i>Durand,</i>	<i>McLean,</i>	<i>Sherwood.</i> —19.
<i>Cameron,</i>	<i>Harrison,</i>	<i>Hon. S. B. Moffatt,</i>	<i>Hon. G.</i>

NOES.

<i>Neilson,</i>	<i>Thorburn,</i>	<i>Viger,</i>	<i>Hon. D. B.</i> —3.
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M M M

Mill dam Bill read second time.

Referred to Committee of whole on *Wednesday*.

Ballot Bill read second time.

Bill referred to Committee of whole on *Wednesday*.

Bill for relief of disabled & infirm persons read second time.

Motion to refer Bill to a Committee of whole lost.

House goes into Committee on Bill for remuneration of Members.

Committee reports Resolutions.

Report to be received on *Monday* next.

House goes into Committee on *Canada* Fire Assurance Company Bill.

Bill reported amended and ordered to be engrossed.

So it was carried in the affirmative, and—
Ordered—Accordingly.

Order of day for Committee of whole on Petition of W Walker and others postponed until Monday.

The order of the day for the House in Committee to take into consideration the Petition of *William Walker*, and other inhabitants of the city of *Quebec*, relating to the Timber Trade being read—

Ordered—That the said order be postponed until *Monday* next, and that it be then the first order of the day.

The names of the members present were taken down as followeth :—

Mr. Speaker,
 Mr. *Baldwin*, Mr. *Boutillier*, Mr. *Derbshire*, Mr. Attorney General *Draper*, Mr. *Dunscumb*, Mr. *Hincks*, Mr. *McLean*, Mr. *Neilson*, Mr. *Quesnel*, Mr. *Roblin*, Mr. *Sherwood*, Hon. Mr. *Viger*.

And at 20 minutes past midnight Mr. Speaker adjourned the House for want of a Quorum.

Luna. 26^o die Julii ;

Anno 5^o Victoriae Reginae, 1841.

Statement of Bank of British North America laid before the House.

Mr. Speaker laid before the House a statement of the liabilities and assets of the *Canadian* Branches of the Bank of *British North America*.
 For the said statement see Appendix (C.)

Committee on Niagara contested Election adjourned further until 10th August.

On motion of Mr. *Thorburn*, seconded by Mr. *Small*,
Ordered—That the Select Committee appointed to try the merits of the Petition of *Robert Melville* and *John McBride*, electors of the town of *Niagara*, complaining of the undue election and return of *Edward Clarke Campbell*, Esquire, sitting member for the said town of *Niagara*, do stand further adjourned until the 10th day of *August* next, in as much as the House has prolonged the time for the return of the Report of the Commissioners appointed to take evidence on the subject of the said controverted Election, until the said 10th day of *August* next.

Committee of privileges appointed.

On motion of Mr. *Thorburn*, seconded by Mr. *Thompson*,
Resolved—That a Committee of privileges, consisting of nine members, be appointed, to which shall be referred all matters connected with the rights and privileges of this House, to report from time to time, with power to send for persons, papers, and records, and that other members of the House may attend when they see fit.

Committee of Privileges.

Ordered—That Mr. *Thorburn*, Mr. *Neilson*, Mr. *Morin*, Mr. *Baldwin*, Mr. Solicitor General *Day*, the Honourable Mr. *Viger*, the Honourable Mr. *Moffatt*, Mr. *Boswell*, and Mr. *Parent*, do compose the said Committee.

Select Committee to try the merits of the Frontenac contested Election report the absence of a member.

Mr. *Morin*, Chairman of the Select Committee appointed for taking into consideration the Petitions of *James Mathewson*, of the Township of *Pittsburg*, and of divers inhabitants of the county of *Frontenac*, complaining of the undue election and return of *Henry Smith*, Esq., as a member to represent the county of *Frontenac*, in this present Parliament, presented to the House a report of the said Committee which was again read at the Clerks' table, as followeth :—

Your Committee met this day at 11 o'clock, A. M. pursuant to adjournment, and *John R. Hamilton*, Esq., one of its members, being ab-

sent, your Committee remained in Session for one hour. at the expiration of which time he was still absent.

Mr. *Morin* moved, seconded by Mr. *Price*,

That *J. R. Hamilton*, Esquire, be excused from serving on the said Committee, on account of ill health.

Mr. Hamilton excused from serving on said Committee on account of ill health

The question having been put, upon the said motion, a division ensued, and it was carried in the affirmative.

Resolved—Accordingly.

The following Petitions were severally brought up, and laid on the table :—

By Mr. *Neilson*, the Petition of *Duncan Patton*, and others, cullers of Timber, of *Quebec*.

Duncan Patton and others

By Mr. *Durand*, the Petition of *Anna Lang*, wife of *Benjamin Lang*, and others, of the state of *Pennsylvania*, Heirs of the late *Jacob Herschy*.

Anna Lang and others.

By Mr. *Foster*, the Petition of *H. Robinson* and others, of the County of *Shefford*.

H. Robinson and others.

By Mr. *Taché*, the Petition of *A. Murphy*, and other of the Township of *Frampton*.

A. Murphy and others.

By Mr. *Cook*, the Petition of *John Cook*, Esquire, and others, Lutherans, of *Williamsburg* and *Osnabruck*.

John Cook, Esq. and others.

An engrossed Bill for incorporating the *Canada Fire Assurance Company*, was read for the third time.

Canada Fire Assurance Company Bill read third time and passed.

Resolved—That the Bill do pass.

Ordered—That Mr. *Dunsmuir*, do carry the said Bill to the Legislative Council, and desire their concurrence.

Pursuant to the order of the day, the following Petitions were read.

Petitions read.

Of the Fire Company and of the Magistrates of the Town of *Brantford*, praying that the privileges granted to fire Companies in incorporated Towns, may be extended to such Companies in un-incorporated Towns.

Of Fire Company and Magistrates of Brantford.

Of *Andrew Millar*, of *Hamilton*, *Gore District*, Land Surveyor, praying for the passing of an Act authorizing him to construct a Harbour and Dry Dock in the said Town.

Of Andrew Millar of Hamilton.

Of *Peter Leppard*, of *East Gwillimbury*, *Home District*, praying that inquiry may be made into the disturbance and riots which took place at a meeting held in said District on the 15th *October*, 1839.

Of Peter Leppard.

Of *James Stocks*, and others, of the Township of *Etobicoke*, *Home District*, praying for an aid to improve the shore on *Lake Ontario*, West of *Humber River*.

Of James Stocks and others.

Of *Louis Norreau*, of the Parish of *St. Roch's* of *Quebec*, late Messenger of the Legislative Council of *Lower Canada*, praying to be reinstated in his former Office, or remunerated for his loss of Office.

Of Louis Norreau.

Of *Felicité Morin*, of the City of *Montreal*, praying that she may be indemnified for losses sustained by her during the late Rebellion.

Of Felicité Morin.

Of *G. P. Wilgress* and others, of the Parish of *Lachine*, praying for exemption from toll on the Turnpike Road between *Montreal* and *Lachine*.

Of G. P. Wilgress.

Of *A. A. Adams*, and others, Inhabitants of the Township of *Barnston*, in the County of *Stanstead*, praying that a general and liberal system of education may be established, and that the Sacred Scriptures may be taught in all the Schools of the Province.

Of A. A. Adams and others.

Of *George Babcock*, and others, of the Town of *Brantford*, and other places, Stage Proprietors and Mail contractors, praying to be exempted from the payment of Toll on the line of their contract.

Of George Babcock & others.

Of *John Burn* and others, inhabitants of the Townships of *Durham*, praying that work done at the public expense be given out by contract.

John Burn and others.

Of Wm. Bowron, Esq. and others.

Of *William Bowron*, Esquire, and others, of *Godmanchester*, and other places in the County of *Beauharnois*, praying that an efficient system of education may be established in the *Eastern* parts of the Province.

Of Archibald McDonell, and others.

Of *Archibald McDonell*, and others, of the Townships of *Gloucester*, *Osgoode*, and *Russell*, praying for a tax of one penny in the pound on all wild lands for the improvement of the highways.

Of J. W. Woolsey, Esq. and others.

Of *J. W. Woolsey*, Esquire, and others, of *Quebec*, praying the Legislature to intercede with Her Majesty for a full and general pardon to all persons engaged in the late troubles in this Province.

Of Thomas Carr, senr.

Of *Thomas Carr*, Senior, and others, inhabitants of *Otanabee*, and other Townships, praying that the line of communication from *Rice Lake* to *Cobourg* may be improved.

Petition of Louis Norreau referred to Special Committee.

Ordered—That the Petition of *Louis Norreau*, of the Parish of *St. Roch's* of *Quebec*, late Messenger of the Legislative Council of *Lower Canada*, be referred to the Special Committee appointed to require what assistance it will be necessary to afford to the Clerk, and what offices and departments it will be expedient to establish for the effective and orderly conduct of the business of this House.

Petition of Alfred Todd, Thaddeus Patrick and Charles FitzGibbon referred to same Committee.

Ordered—That the Petition of *Alfred Todd*, *Thaddeus Patrick*, and *Charles Fitzgibbon*, Clerks in the office of the Clerk of the Legislative Assembly, presented to the House on the 21st instant, be referred to the said Committee.

Petition of Peter Leppard referred

Resolved—That the Petition of *Peter Leppard*, of *East Gwillimbury*, *Home District*, be referred to a Committee of five members, to examine the contents thereof and report thereon from time to time; with power to send for persons, papers and records.

Committee formed.

Ordered—That Mr. *Small*, Mr. *Neilson*, the Honourable Mr. *Daly*, Mr. *Christie* and Mr. *Merritt*, do compose the said Committee.

Petition of Geo. Babcock and others referred.

Resolved—That the Petition of *George Babcock*, and others, of the Town of *Brantford*, and other places, Stage Proprietors, and Mail Contractors, be referred to a Committee of five members, to examine the contents thereof, and to report thereon by Bill or otherwise; with power to send for persons, papers, and records.

Committee formed.

Ordered—That Mr. *Prince*, Mr. *Cartwright*, Mr. Attorney General *Draper*, Mr. *Thorburn* and Mr. *Roblin*, do compose the said Committee.

Committee on Currency present their first Report

Mr. *Hincks*, from the Select Committee on Currency and Banking, with power to report from time to time, presented to the House the first Report of the said Committee, which was again read at the Clerk's Table.

For the said Report, see Appendix (O.)

Report referred to Committee of whole on Friday next.

Ordered—That the said Report be referred to a Committee of the whole House on *Friday* next.

Select Committee to require Justices of the Peace to make returns of fines, &c. reports the same amended, which is to be referred to Committee of whole to-morrow.

Mr. Attorney General *Draper*, from the Special Committee to which was referred the Bill to require Justices of the Peace to make returns of convictions and fines, reported that the Committee had gone through the Bill and had made several amendments thereto, which amendments were again read at the Clerk's table.

Ordered—That the said Bill and Report be referred to a Committee of the whole House to-morrow.

Order of day for second reading of Heir and Devisee Amendment Act revived.

On motion of *W. J. S. Macdonald*, seconded by Mr. *Roblin*,
Ordered—That the Order of the day, of the 25th instant, for the second reading of the Bill to amend the Heir and Devisee Act, lost by

reason of having been inadvertently fixed on *Sunday*, be revived, and that the said Bill be read a second time on *Wednesday* next.

On motion of Mr. *Thompson*, seconded by Mr. *Prince*,

Ordered—That the Order of the day for the second reading of the Bill to incorporate certain persons, under the title of “The *Caledonia* Bridge Company,” lost by the adjournment of the House of *Thursday* last, be revived, and that the said Bill be read a second time on *Monday* next.

Order of day for 2nd reading *Caledonia* Bridge Company Bill revived.

On motion of Mr. *Prince*, seconded by Mr. *De Salaberry*.

Resolved—That the Petition of divers Electors of the County of *St. Maurice*, complaining of the undue return of *Joseph Edouard Turcotte*, Esq. be taken into consideration on *Tuesday* the 10th day of *August* next, at 4 o'clock, P. M., in lieu of *Monday*, the 2d day of *August* next, as before appointed by this House.

Time for taking into consideration *Saint Maurice* contested Election postponed until *Tuesday* the 10th *August*.

On motion of Mr. *Cameron*, seconded by Mr. *Holmes*,

Resolved—That the Resolution of this House authorizing the Clerk of this House to procure 500 copies of the *Canadian* Mirror of Parliament, for the use of the members, at five shillings, currency, per month, be rescinded at the end of the month, to wit: on the 6th day of *August* next.

Order for taking the Mirror of Parliament to be rescinded at end of month.

On motion of Mr. *Johnston*, seconded by Mr. *Williams*,

Ordered—That the Order of the day for the House in Committee, to consider the expediency of amending the Road Act of the 50 GEO. 3, Cap. 1, of the late Province of *Upper Canada*, lost by the adjournment of the House of *Monday*, the 19th instant, be revived, and that the House will, on *Friday* next, resolve itself into the said Committee.

Order of day for Committee of whole on Road Act, 50 Geo. 3rd chap. 1 revived.

On motion of Mr. *Roblin*, seconded by Mr. *Chesley*.

Resolved—That this House will, on *Wednesday* next, resolve itself into a Committee of the whole House to take into consideration the expediency of altering the Law of Possession, so far as it relates to erroneous surveys.

Committee of whole on *Wednesday* on Law of Possession.

On motion of Mr. *Merritt*, seconded by Capt. *Steele*.

Resolved—That the Committee appointed to examine into the prices paid, and the methods adopted for the transit of products on the different water communications within this Province—and the Committee to which was referred the Message of His Excellency, the Governor General, in answer to the Address of this House, of the 14th instant, on the subject of an Address of the House of Assembly of *Upper Canada*, relating to the introduction of the Products of this Province into the Ports of *Great Britain*, free of duty, be consolidated; and that it be an instruction to the said Committee to take into consideration all matters relating to the agriculture and commerce of this Province, to report from time to time; with power to send for persons, papers, and records.

Committee appointed on Transit of Products and Committee on His Excellency Message of 14th inst. consolidated.

On motion of Mr. *Thorburn*, seconded by Mr. *Thompson*.

Resolved—That this House do now resolve itself into a Committee of the whole House to take into consideration what number of the Journals should be printed for each and every Session during the present Parliament, and to whom such printed Journals should be given.

House in Committee on printing of Journals.

The House accordingly resolved itself into the said Committee.

Mr. *Child* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Child* reported that the Committee had come to a resolution,

Committee reports resolution.

which he was directed to submit to the House, whenever it should be pleased to received the same.

To be received to-morrow.

Odered—That the Report be received to-morrow.

On motion of Mr. *Thorburn*, seconded by Mr. *Neilson*,

Speaker to have authority during session and recess to carry into effect the orders of the House.

Resolved—That when this House is not in Session, as well as when it is, the Speaker may give such directions as he may think necessary and proper for carrying into effect the orders of the House, and for ensuring the safety of its records ; and all the Officers and Messengers of the House, shall be under the direction of the Speaker in all matters whatsoever connected with the performance of their official duty.

Resolutions from Committee of whole on Members remuneration, read at the Clerk's Table.

Mr. *Roblin*, from the Committee of the whole House, to take into consideration the propriety of repealing or amending certain parts, of an Act of the Parliament of the late Province of *Upper Canada*, entitled “ *An Act to alter the mode of payment of wages to Members of the House of Assembly,*” reported, according to order, the resolutions of the said Committee, which resolutions were again read at the Clerk’s Table, as followeth :—

Resolutions.

1. *Resolved*—That it is expedient to repeal a certain Act of the Parliament of the late Province of *Upper Canada*, intituled “ *An Act to alter the mode of payment of wages to Members of the House of Assembly,*” and to provide for the remuneration of the Members of the Legislative Assembly for their loss of time in coming to, attending at, and returning from the said Legislative Assembly, at the several Sessions thereof.

2. *Resolved*—That the sum of fifteen shillings per diem be allowed to Members of the said Assembly for their said attendance, including travelling at the rate of twenty miles per day.

3. *Resolved*—That the said allowance ought to be paid by the Receiver General of the Province, upon the production of the Speaker’s warrant stating the number of days the member producing the same has been absent from his place of residence in coming to and attending at the respective Sessions of the Legislative, and the number of days necessary for such Member to return to his place of residence.

Ordered—That the question of concurrence be now separately put upon each of the said Resolutions.

First Resolution carried.

And the first of the said Resolutions being again read, and the question of concurrence being put thereon, it was unanimously agreed to.

The second of the said Resolutions being again read, and the question of concurrence being put thereon, the House divided, and the names called for they were taken down, as followeth :—

YEAS.

House divides on second Resolution.

<i>Armstrong,</i>	<i>Day, Hon. C. D.</i>	<i>Moore,</i>	<i>Roblin,</i>
<i>Baldwin,</i>	<i>Derbshire,</i>	<i>Morin,</i>	<i>Ruel,</i>
<i>Barthé,</i>	<i>Dunn, Hon. J. H.</i>	<i>Neilson,</i>	<i>Small,</i>
<i>Berthelot,</i>	<i>Durand,</i>	<i>Nöel,</i>	<i>Smith, (Fron.)</i>
<i>Borne,</i>	<i>Foster,</i>	<i>Parent,</i>	<i>Steele,</i>
<i>Boutillier,</i>	<i>Harrison, Hon. S.B.</i>	<i>Parke,</i>	<i>Taché,</i>
<i>Buchanan,</i>	<i>Hincks,</i>	<i>Powell,</i>	<i>Taschereau,</i>
<i>Chesley,</i>	<i>Johnston,</i>	<i>Price,</i>	<i>Thorburn,</i>
<i>Child,</i>	<i>McLean,</i>	<i>Quesnel,</i>	<i>Turcotte,</i>
<i>Cook,</i>	<i>Merritt,</i>	<i>Raymond,</i>	<i>Viger, Hon. D.B.</i>
<i>Daly, Hon. D.</i>			(41.)

NOES.

<i>Burnet,</i>	<i>Draper, Hon. W.H.</i>	<i>Hon. G. Robertson,</i>
<i>Cameron,</i>	<i>Holmes,</i>	<i>Prince, Watts—8.</i>

So it was carried in the affirmative.

The third of the said Resolutions being again read, and the question of concurrence being put thereon, the House divided, and the names being called for they were taken down as followeth :—

Second Resolution carried.

YEAS.

<i>Armstrong,</i>	<i>Christie,</i>	<i>Neilson,</i>	<i>Small,</i>	House divides on third Resolution.
<i>Baldwin,</i>	<i>Cook,</i>	<i>Noel,</i>	<i>Smith, (Front.)</i>	
<i>Barthe,</i>	<i>Durand,</i>	<i>Parent,</i>	<i>Steele,</i>	
<i>Berthelot,</i>	<i>Foster,</i>	<i>Powell,</i>	<i>Taché,</i>	
<i>Borne,</i>	<i>Hincks,</i>	<i>Price,</i>	<i>Taschereau,</i>	
<i>Boutillier,</i>	<i>Johnston,</i>	<i>Quesnel,</i>	<i>Thorburn,</i>	
<i>Buchanan,</i>	<i>McLean,</i>	<i>Raymond,</i>	<i>Turcotte,</i>	
<i>Chesley,</i>	<i>Moore,</i>	<i>Roblin,</i>	<i>Viger, Hon.D.B.</i>	
<i>Child,</i>	<i>Morin,</i>	<i>Ruel,</i>	(35.)	

NOES.

<i>Burnet,</i>	<i>Derbshire,</i>	<i>Holmes,</i>	<i>Prince,</i>
<i>Cameron,</i>	<i>Draper, Hon. W.H.</i>	<i>Moffatt, Hon. G.</i>	<i>Robertson,</i>
<i>Daly, Hon. D.</i>	<i>Harrison, Hon. S.B.</i>	<i>Parke,</i>	<i>Watts.—13.</i>
<i>Day, Hon. C. D.</i>			

So it was carried in the affirmative, and—

Resolved—That this House does concur with the Committee in the said Resolutions.

Third Resolution carried.

A Bill to repeal a certain section of an Act of the Legislature of *Upper Canada*, relative to Macadamized Roads, was, according to order, read a second time.

Macadamized Road Act read second time and referred to a Committee to report thereon.

Resolved—That the said Bill be referred to a Committee of five Members, to report thereon with all convenient speed, with power to send for persons, papers, and records.

Ordered—That Mr. *Durand*, Mr. *Merritt*, Mr. *Henry Smith*, Mr. *Thorburn* and Mr. *Price*, do compose the said Committee.

Committee formed.

A Bill to authorise a further loan to complete the building of the Court House and Gaol for the intended District of *Dalhousie*, was, according to order, read a second time.

Dalhousie Gaol and Court House bill read second time, and ordered to be referred to Com. on Wednesday next.

Ordered—That the said Bill be referred to a Committee of the whole House on *Wednesday* next.

The Order of the day for the House in Committee to take into consideration the Petition of *William Walker*, and other Inhabitants of the City of *Quebec*, relating to the Timber Trade, being read—

House goes into com. of whole on Pet. of Wm. Walker, on timber trade.

The House accordingly resolved itself into the said Committee.

Mr. *Moore* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair.

And Mr. *Moore*, reported that the Committee had come to several Resolutions, which Resolutions were again read at the Clerk's Table, and agreed to by the House, and are as followeth :—

Committee reports resolution.

1. *Resolved*—That we have learned with serious apprehensions, that Her Majesty's Government has recently proposed to the House of Commons an unfavourable alteration in the scale of duties levied on Foreign and Colonial Timber and Deals, on their importation into the United Kingdom

1st Resolution.

2. *Resolved*—That the said relative scale of duties has remained nearly the same, during the last thirty years.

2nd Resolution.

3rd Resolution.

3. *Resolved*—That the discriminating duty in favour of Colonial Timber and Deals, was originally established without any solicitation on the part of the Inhabitants of the Colonies, and was considered by them as connected with objects of national policy, and therefore likely to be permanent, and they accordingly embarked their Capital and industry in the Trade of preparing and bringing to the Home Market the produce of the Forests of *Canada*, which Trade, during the continued encouragement of the said relative scale of duties, has grown, from the loading, in part, a few Vessels frequenting the *Saint Lawrence*, to the loading of more than a thousand large Ships annually.

4th Resolution.

4. *Resolved*—That the competition in the Trade in Timber and Deals in the Colony, is free to all Her Majesty's Subjects, and that under an unfavourable alteration of the existing duties, the Trade must, almost altogether, cease, and a great part of the Capital vested in the Trade, and in Lumbering Establishments, be lost, while a very large portion of the Inhabitants must be deprived of their usual employments—the Agriculturists be, to a great degree, deprived of a near and advantageous market for their produce—importations be greatly diminished, and the Province left without a sufficient Revenue for the support of its local Government, the discharge of its existing engagements, and providing for the public wants.

Petitions to be sent to H. M., and Im. Parl.

Resolved—That humble Petitions to Her Majesty, and both Houses of the Imperial Parliament, be drawn up in conformity to the said Resolutions.

Committee to draft Petition.

Resolved—That a Committee of five Members be appointed to draft the said Petitions.

House goes into Com. of whole on certain ordinances relating to the Corporation of Quebec.

Ordered—That Mr. *Neilson*, Mr. Attorney General *Draper*, Mr. *Baldwin*, Mr. *Thorburn*, and Mr. *Buchanan*, do compose the said Committee.

The Order of the day for the House in Committee to consider any and what amendments are necessary to two certain Ordinances of the Governor and Special Council of the late Province of *Lower Canada*, relating to the incorporation of the City of *Quebec*, being read.

The House accordingly resolved itself into the said Committee,

Mr. *Ruel* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

A Resolution reported

And Mr. *Ruel* reported that the Committee had come to a Resolution, which Resolution was again read at the Clerk's Table, and agreed to by the House, and is as followeth :—

Resolution.

Resolved—That it is expedient to repeal certain clauses of two Ordinances of the Governor and Special Council, 3rd and 4th VIC., Cap. 25 and 4th VIC., Cap. 31st, relating to the Incorporation of the City of *Quebec*, and also to amend the said Ordinances so as to render the said Corporation elective within the least possible delay, and to extend and limit the powers of the said Corporation.

Resolution referred to a Select Committee

Resolved—That the said Resolution be referred to a Committee of five Members to report thereon, with all convenient speed, by Bill or otherwise, with power to send for persons, papers, and records.

Committee formed.

Ordered—That Mr. *Neilson*, Mr. *Morin*, Mr. Attorney General *Draper*, Mr. *Price*, and Mr. Solicitor General *Day*, do compose the said Committee.

Order of day for House in Com. on amending Judicature Acts of Gaspé, postponed till to-morrow.

The Order of the day for the House in Committee to take into consideration the expediency of altering and amending the judicature Acts relating to the Inferior District of *Gaspé*, being read,

Ordered—That the said Order of the day be postponed until to-morrow.

The Order of the day for the House in Committee on the Bill to authorize the *North American Colonial Association of Ireland* to loan moneys, and to prosecute certain public works in the County of *Beauharnois*, being read,

House goes into Com. on North American Colonial Association of Ireland bill.

The House accordingly resolved itself into the said Committee.

Mr. *Hincks*, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Hincks* reported that the Committee had made some progress and had directed him to move for leave to sit again.

Progress.

Ordered—That the said Committee have leave to sit again on *Friday* next.

Sit again on Friday next.

The Order of the day for the House in Committee to take into consideration the expediency of allowing the exportation from this Province of Flour and Meal, Pot and Pearl Ashes, and Beef and Pork, without inspection, and of amending and consolidating the Laws now in force in this Province in relation to the inspection of the said Commodities, and other references, being read,

Order of the day for House in Com. on the Inspection Laws, postponed till Wednesday the 4th August.

Ordered—That the said Order of the day be postponed until *Wednesday*, the 4th day of *August* next.

The names of the Members present were taken down, as followeth :—

Mr. Speaker,

Mr. *Armstrong*, Mr. *Baldwin*, Mr. *Borne*, Mr. *Boutillier*, Mr. Solicitor General *Day*, Mr. *Derbshire*, Mr. Attorney General *Draper*, the Honorable Mr. *Dunn*, Mr. *Durand*, Mr. *Hincks*, Mr. *Holmes*, Mr. *Johnston*, Mr. *McLean*, the Honorable Mr. *Moffatt*, Mr. *Moore*, Mr. *Morin*, Mr. *Raymond*, and the Honorable Mr. *Viger*.

And at half past eleven o'clock at night, Mr Speaker adjourned the House for want of a quorum.

House adjourns for want of Quorum.

Martis, 27^o die Julii.

Anno 5^o *Victoriæ Reginae, 1841.*

The following Petitions were severally brought up, and laid on the Table :—

Petitions brought up.

By Mr. Attorney General *Draper*, the Petition of *Archibald McDonell*, and others, of the Townships of *Gloucester, Osgoode, and Russell*; and the Petition of *Nicholas Gifford* and others, of the *Ottawa* District.

Archibald M'Donnell, and others
Nicholas Gifford and others.
John Cameron.

By Mr. *McLean*—The Petition of *John Cameron*, of the Township of *Finch*, county of *Stormont*.

By Mr. *Neilson*—The Petition of the Reverend *William Anderson*, and others, of *Wm. Henry*.

Rev. Wm. Anderson.

By Mr. *Foster*—The Petition of *H. Robinson*, and others, of the Township of *Shefford*, county of *Shefford*.

H. Robinson and others.

By Mr. *Holmes*—The Petition of *Joseph Masson*, and others, of *Toronto*—the Petition of *W. B. Jarvis*, and others, of the City of *Toronto*—the Petition of the Mayor, Alderman, and commonalty, of the City of *Toronto*, and the Petition of *Charles Tait*, and others, of *Montreal*.

Joseph Masson, and others.
W. B. Jarvis, and others.
Mayor, &c. of Toronto.
Charles Tait, and others.
Jamer Kennedy, and others.

By Mr. *Robertson*—The Petition of *James Kennedy*, and others, of the Township of *Chatham*, county of *The Lake of Two Mountains*, and the

William Young, and
Donald W. Phail

Petition of *William Young*, and *Donald W. Phail*, of the Township of *Chatham*, county of *The Lake of Two Mountains*.

House to go into Com-
of whole, on District
Court Law of U. C.,
on Thursday next

On motion of Mr. Attorney General *Draper*, seconded by Mr. Solicitor General *Day*.

Resolved—That this House will, on *Thursday* next, resolve itself into a Committee of the whole House on the District Court Law of *Upper Canada*, as regards the payment of Judges and Clerks.

Message from His
Excellency the Gov.
Gen., relative to esti-
mates ending Dec.
1841, referred to Com.
of nine members.

On motion of the Honourable Mr. *Harrison*, seconded by Mr. Solicitor General *Day*.

Resolved—That so much of the Message of His Excellency, the Governor General, as relates to the Estimates for the year ending 31st December, 1841, together with the Documents connected therewith, transmitted to this House on the 20th instant, be referred to a Committee of nine Members, consisting of the Honourable Mr. *Harrison*, the Honourable Mr. *Daly*, the Honourable Mr. *Moffatt*, Mr. *Neilson*, Mr. *Hincks*, Mr. *Holmes*, Mr. *Merritt*, Mr. *Cameron*, and Mr. *Quesnel*, to report thereon with all convenient speed; with power to send for persons, papers, and records, and that the 77th Rule of this House be dispensed with in so far as relates to the appointment of this Committee.

Committee

Petition of Duncan
Patton, and others, re-
ferred to Special Com-
on measurement of
timber, &c

Ordered—That the Petition of *Duncan Patton*, and others, Cullers of Timber, of *Quebec*, presented to the House yesterday, be referred to the Special Committee to which was referred the Bill to regulate the Inspection and Measurement of timber, masts, spars, deals, staves, and other articles of a like nature, in the Ports of *Quebec* and *Montreal*, and for other purposes relative to the same.

Leave of absence to
Mr. Gilchrist.

Ordered—That Mr. *Gilchrist* have leave to absent himself from this House until the 1st day of *August* next, on urgent business.

Message from Legis-
lative Council.

A Message from the Legislative Council, by *John Godfrey Spragge*, Esquire, Master in Chancery.

MR. SPEAKER,

Court of Chancery
Bill passed by Legis-
lative Council

The Legislative Council have passed a Bill, intituled, “*An Act to explain and amend an Act passed in the Provincial Parliament of Upper Canada, in the seventh year of the Reign of King WILLIAM the Fourth, intituled ‘An Act to establish a Court of Chancery in this Province,’ and to render more effectual the said Court,*” to which they desire the concurrence of the Assembly.

And then he withdrew.

Bill read 1st time

An engrossed Bill from the Legislative Council, intituled “*An Act to explain and amend an Act passed in the Provincial Parliament of Upper Canada, in the seventh year of the Reign of King WILLIAM the Fourth, intituled ‘An Act to establish a Court of Chancery in this Province,’ and to render more effectual the said Court,*” was read for the first time.

The Honourable *S. B. Harrison*, one of Her Majesty’s Executive Council, delivered to Mr. Speaker a Message from His Excellency, the Governor General, signed by His Excellency.

And the said Message was read by Mr. Speaker, all the members of the House being uncovered, and is as followeth:—

SYDENHAM.

Message from His
Exclty the Gov. Gen.,
on provision for sala-

The Governor General recommends to the House of Assembly that provision be made for the salaries of the Judges and Clerks of the District

Courts and Division Courts in that part of the Province heretofore called *Upper Canada*, to meet the possible contingency of the General fee fund created not being in the first instance adequate for that purpose.

ries of Judges and Clerks of District Courts.

Government House, }
Kingston, 27th July, 1841. }

Mr. *Child*, from the Committee of the whole House to take into consideration what number of the Journals should be printed for each and every Session during the present Parliament, and to whom such printed Journals should be given, reported, according to Order, the Resolution of the said Committee, which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth :—

Committee of whole House on printing of Journals report Resolution.

Resolved—That *five hundred* copies be printed of the Journals of this House, with the Appendix thereto, after every Session, to be disposed of as follows :—

500 Copies of Journals to be printed.

Three copies to each Member.

One copy to each of the Members of the Legislative Council.

Distribution of Journals.

Six copies to His Excellency, the Governor General.

Three copies in *English*, and two in *French*, to the Library of the Legislature.

One copy each, to the Governors, Legislative Councils, and Assemblies, of *New Brunswick*, *Nova Scotia*, *Newfoundland*, *Prince Edward's Island*, the Island of *Jamaica*, and Island of *Bermuda*.

Two copies to the Colonial Department.

Three copies to the Library of the House of Commons.

Three copies to the Library of the House of Lords.

Six copies to the Clerk's Office for the use of this House.

One copy to each Law Library in this Province, as the Speaker may direct.

And that Mr. Speaker be requested to communicate to the Governors and the Speakers of the Legislative Councils and Assemblies of the above-mentioned Colonies and Islands, so much of this Resolution as relates to them respectively, with a request to the several Legislative Bodies that they will transmit a copy of their own Journals in return.

Speaker to communicate aforesaid resolution to the authorities mentioned in as far as respects them severally requesting them to forward in return copies of their Colonial Journals.

A Bill to provide for the better internal Government of that part of this Province heretofore *Upper Canada*, by the establishment of local or municipal authorities therein, was, according to order, read a second time.

Municipal Corporation bill read second time.

Ordered—That the said Bill be referred to a Committee of the whole House on *Thursday* next.

Bill to be referred to Committee of whole on *Thursday* next.

The Order of the day for the House in Committee on the Bill to repeal certain ordinances therein mentioned, and to establish a Board of Works in this Province, being read,

House goes into Com. on Board of Works bill.

The House accordingly resolved itself into the said Committee.

Captain *Steele* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Captain *Steele* reported that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's Table, and agreed to by the House.

Bill reported amended and ordered to be engrossed.

Ordered—That the said Bill, as amended, be engrossed.

The Order of the day for the House in Committee on the Bill to secure and confer upon certain Inhabitants of this Province the civil and political rights of natural born *British* subjects, being read,

House goes into Com. on civil rights bill.

The House accordingly resolved itself into the said Committee.

Mr. *Borne* took the chair of the Committee.
 Several members having retired,
 Mr. Speaker resumed the chair,
 And the names of the members present were taken down, as followeth :—

Mr. Speaker,
 Mr. *Borne*, Mr. *Boswell*, Mr. *Boutillier*, Mr. *Cameron*, Mr. *Cartwright*,
 Mr. *Child*, Mr. Solicitor General *Day*, Mr. Attorney General *Draper*, Mr.
Durand, Mr. *Foster*, the Honourable Mr. *Harrison*, Mr. *Hincks*, Mr.
Parke, Mr. *Powell*, Mr. *Roblin*, Mr. *Simpson*, Mr. *Sherwood*, and the Honourable Mr. *Viger*.

House adjourns for want of quorum

And at half-past 11 o'clock at night, Mr. Speaker adjourned the House, for want of a quorum.

Mercurii, 28^o die Julii ;

Anno 5^o *Victoriæ Reginae, 1841.*

Petitions brought up.

The following Petitions were severally brought up, and laid on the table :

John Reid, and Robt. Shepherd
 James George, Moderator of Presbyterian Synod.
 Joseph L. Dowsley, and others.

By Mr. *Morris*—the Petition of *John Reid*, and *Robert Shepherd*, of *Brockville*—the Petition of *James George*, Moderator of the Synod of the *Presbyterian Church of Canada*, in behalf of the said Church—and the Petition of *Joseph L. Dowsley*, and others, inhabitants of the township of *Escott*.

Robt. F. Gourlay.

By Mr. *Merritt*—the Petition of *Robert F. Gourlay*, of *Kingston*.

Rev. Andw. Balfour.

By Mr. *McLean*—the Petition of the Reverend *Andrew Balfour*, of the township of *Waterloo*, county of *Shefford*.

Charles Bockus, Esq., and others.

By Mr. *Roblin*—the Petition of *Charles Bockus*, Esq., and others, Freeholders and inhabitants of the township of *Hallowell*.

Petitions read.

Pursuant to the order of the day, the following Petitions were read:—

Of Duncan Patton, and others.

Of *Duncan Patton*, and others, cullers of timber, of *Quebec*, taking notice of the bill for the Inspection of Lumber, and suggesting certain alterations.

Of Anna Lang, and others.

Of *Anna Lang*, wife of *Benjamin Lang*, and others, Heirs of the late *Jacob Herschy*, of the State of *Pennsylvania*, praying that a law be passed to authorise the Reverend *Benjamin Eby*, of the township of *Waterloo*, District of *Wellington*, Province of *Canada*, to make all necessary deeds of conveyance, and other instruments in writing, relating to the estate of the said *Jacob Herschy*.

Of H. Robinson.

Of *H. Robinson*, and others, of the county of *Shefford*, praying to be united with the counties of *Stanstead* and *Sherbrooke*, in the Mutual Fire Insurance Company, established in the said Counties.

Of A. Murphy, and others.

Of *A. Murphy* and others, of the Township of *Frampton*, praying for a protecting duty on *American* produce.

Of John Cook, Esq.

Of *John Cook*, Esquire, and others, Lutherans, of *Williamsburg* and *Osnabruck*, praying that an Act of naturalization may be passed in favor of the Reverend *William Shartz*.

Petition of Ichabod Wing, referred to Sel. Committee.

Resolved—That the Petition of *Ichabod Wing*, of *Chautauque*, in the State of *New York*, presented to the House on the 16th of *June* last, be referred to a Committee of *five* members, to examine the contents thereof,

and to report thereon with all convenient speed, by Bill or otherwise ; with power to send for persons, papers and records.

Ordered—That Mr. *Morris*, Mr. *Merritt*, Mr. *Yule*, Mr. *Henry Smith*, and Mr. *Baldwin*, do compose the said Committee. Committee formed.

Resolved—That the Petition of *John McDonald*, and others, Inhabitants of the Townships of *Leeds* and *Landsdown*, presented to the House on the 5th instant, be referred to a Committee of *five* members, to examine the contents thereof, and to report thereon with all convenient speed, by Bill or otherwise ; with power to send for persons, papers, and records. Petition of John McDonald, and others, referred.

Ordered—That Mr. *Morris*, Mr. *Sherwood*, Mr. *McLean*, Mr. *Boswell*, and Mr. *Johnston*, do compose the said Committee. Committee formed.

Ordered—That the Petition of divers inhabitants of the County of *Leeds*, in the *Johnstown* District, presented to the House on the 22nd of *June* last, be referred to the Special Committee to which was referred the Bill to repeal a certain section of an Act of the Legislature of *Upper Canada*, relative to macadamized roads. Petition of divers inhabitants of the county of Leeds referred.

The Honourable *S. B. Harrison*, presented, pursuant to an Address of the House of Assembly, of the 6th instant, an extract of a despatch from Lord *John Russell* to His Excellency the Right Honourable *Charles Poulett Thompson*, dated, *Downing-street*, 1st *July*, 1840, which was read as followeth :— Extract of despatch from Lord John Russell, presented to the House.

“ Regarding the Address on the subject of *Christopher Leggo*, I have to state, that it appears that this person’s loss arose, not from the violence of a foreign enemy, but from the misconduct of persons acting as volunteers for the defence of the Province. Extract of despatch on subject of Christopher Leggo.

“ I have therefore not thought myself at liberty to advise the Queen to recommend to Parliament that provision should be made at the expense of the Revenue of this Kingdom, for indemnifying the sufferer.”

On motion of the Honorable Mr. *Harrison*, seconded by Mr. Attorney General *Draper*.

Resolved—That this House will, to-morrow, resolve itself into a Committee of the whole House to take into consideration the expediency of repealing the Law of that part of the Province heretofore *Upper Canada*, for the disposal of the public lands of the Province, and providing, by a Law applicable to all parts of the Province, for the disposal of public lands therein. House to go into Com. of whole to-morrow, on disposal of public lands

On motion of Mr. *Christie*, seconded by the Honorable Mr. *Viger*,

Ordered—That the Order of the day, for the House in Committee, on the Report of the Special Committee, to which was referred the Bill to regulate the Fisheries in the District of *Gaspé*—and on the said Bill—lost by the adjournment of the House, of *Monday* last, be revived, and that this House will, on *Wednesday* next, resolve itself into the said Committee. Order of day for Com. of whole on Gaspé fishery bill, revived.

On motion of Mr. *Parent*, seconded by Mr. *Barthe*,

Ordered—That the Clerk of this House do cause to be inserted in the Appendix to the Journals of the House of Assembly, for the present Session, the returns made by the Prothonotaries of the Courts of King’s Bench, of births, marriages and burials, in the different Districts of the late Province of *Lower Canada*, for the years 1838, 1839 and 1840. Clerk to insert in appendix to Journals of House, for the present Session, returns made, of Births, Marriages and Burials for the years 1838, 1839 and 1840.

The Order of the day for the House in Committee on the Bill to secure and confer upon certain inhabitants of this Province the civil and political rights of natural born *British* subjects, being read, House goes into Committee of whole on Civil Rights Bill.

The House accordingly resolved itself into the said Committee.

Mr. *Borne* took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Bill reported amended.

And Mr. *Borne* reported, that the Committee had gone through the Bill, and made several amendments thereto, which he was directed to report to the House whenever it shall be pleased to receive the same.

Mr. Speaker having put the question,

“Is it the pleasure of the House to receive the report of the Committee?”

The House divided on the question, and the names being called for, they were taken down, as followeth:—

YEAS.

<i>Berthelot,</i>	<i>Draper, Hon. W. H. Parent,</i>	<i>Steele,</i>
<i>Borne,</i>	<i>Durand,</i>	<i>Powell,</i>
<i>Bosicell,</i>	<i>Foster,</i>	<i>Price,</i>
<i>Boutillier,</i>	<i>Harrison, Hon. S. B. Prince,</i>	<i>Thompson,</i>
<i>Buchanan,</i>	<i>Hincks,</i>	<i>Thorburn,</i>
<i>Cameron,</i>	<i>Holmes,</i>	<i>Turcotte,</i>
<i>Chesley,</i>	<i>Merritt,</i>	<i>Viger, Hon. D. B.</i>
<i>Cook,</i>	<i>Morin,</i>	<i>Watts,</i>
<i>Delisle,</i>	<i>Morris,</i>	<i>Williams,</i>
<i>Derbshire,</i>	<i>Neilson,</i>	<i>Woods,</i>
		<i>Yule.—40.</i>

NOES.

Cartwright, *Johnston,* *McDonald, (Glen.) McLean.—4.*

So it was carried in the affirmative, and—

The report was received, and the amendments were again read at the Clerk's table, and agreed to by the House.

Ordered—That the said Bill, as amended, be engrossed, and read for the third time, to-morrow.

The Report received the Amendments agreed to, and the Bill ordered to be engrossed.

Select Committee on Petitions against the Election of Henry Smith, Esq. for the County of Frontenac present their final Report.

Mr. *Morin*, chairman of the Select Committee, appointed in accordance with the Statute, for taking into consideration the petitions of *James Mathewson*, of the Township of *Pittsburg*, and of divers inhabitants of the County of *Frontenac*, complaining of the undue election and return of *Henry Smith*, Esquire, as a member to represent the County of *Frontenac*, in this present Parliament, presented to the House the final report of the said Committee, which was again read at the Clerk's table, as followeth:

The Committee of your Honorable House, appointed to try the contested election for the County of *Frontenac*, have the honour to report the following resolutions:—

Resolved—That no evidence has been adduced against the Returning Officer, in support of the charges contained in the petition.

Resolved—That the Sitting Member is not disqualified to sit or vote in the Legislative Assembly, in consequence of any thing proved to have transpired during said election.

Resolved—That it does not appear to this Committee, that the Sitting Member has, by himself or his authorized agents, been guilty of bribery.

Resolved—That the petition of *James Mathewson* is not frivolous or vexatious.

Resolved—That the petition of *Mattheu Rourk*, and others, was withdrawn by the Counsel for the petitioners before entering into evidence upon the same.

Resolved—That the said petition is frivolous and vexatious.

Final Report of Select Committee on the contested Election for the County of Frontenac.

Resolved—That the defence of the Sitting Member is not frivolous or vexatious.

All which is respectfully submitted.

A. N. MORIN,
Chairman.

Committee Room,
Legislative Assembly, }
28th July, 1841.

The Order of the day for the House in Committee, to consider the expediency of amending the Ordinance of the Special Council, providing for the improvement of the roads in the vicinity of *Montreal*, being read,

House goes into Committee on Ordinance, on Montreal Roads.

The House accordingly resolved itself into the said Committee.

Mr. *Taché* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Taché* reported, that the Committee had come to a resolution, which resolution was again read at the Clerk's table and agreed to by the House, and is as followeth :—

Committee reports Resolutions.

Resolved—That it is expedient to amend the Ordinance of the 3d VICTORIA, Cap. 31, to provide for turnpike roads in or near the City of *Montreal*.

Expedient to amend Ordinance.

Ordered—That Mr. *Holmes* have leave to bring in a Bill to amend the Ordinance of the 3d VICTORIA, Cap. 31, for the improvement of the roads in the neighbourhood of, and leading to the City of *Montreal*.

Bill to amend Ordinance relating to Montreal Roads brought in and read.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Ordered—That the said Bill be read a second time on *Friday*, the 6th of *August* next.

Second reading Friday 6 August.

The Order of the day for the House in Committee to consider the expediency of enquiring into the several laws levying duties on the imports into this Province, and to consider the propriety of amending and consolidating the same, being read,

House goes into Committee of whole on Imports.

The House accordingly resolved itself into the said Committee.

Mr. *Parke* took the chair of the Committee, and after some time spent therein.

Mr. Speaker resumed the chair,

And Mr. *Parke* reported, that the Committee had come to a Resolution, which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth :—

Resolution reported.

Resolved—That the duty of two and a half per cent, now by law levied upon the importation of copies of the Holy Scriptures into this Province, by navigation from Sea, under and by virtue of the Act 53, GEO. III, Cap. ii., Section 1, ought to be repealed.

Resolution.

Ordered—That Mr. *Holmes* have leave to bring in a Bill to exempt from duty all copies of the Holy Scriptures imported into this Province by navigation from sea.

Bill brought in to exempt from duty the Holy Scriptures imported into this Province, read first time.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Ordered—That the said Bill be read a second time on *Friday*, the 6th day of *August* next.

Second reading 6 August.

The Order of the day for the House in Committee to take into consideration the laws of that part of the Province heretofore known as *Lower*

House goes into Committee of whole on Feudal Tenure.

Canada, touching the tenure of lands, and commonly known as "Feudal Tenure," and to consider the expediency of altering and amending the same, and the best and most equitable mode of effecting the alterations that may be deemed necessary, being read,

The House accordingly resolved itself into the said Committee.

Mr. Woods took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Several Resolutions reported.

And Mr. Woods reported, that the Committee had come to several resolutions, which resolutions were again read at the Clerk's table, as followeth :—

Resolutions on "Seignorial Tenure."

1st Resolved—That from the increasing improvement of the Country, and from the abuses which have grown out of the operation of the Tenure of Lands, now existing in that part of the Province heretofore called *Lower Canada*, commonly known as the "Seignorial Tenure," the said Tenure has become less adapted to the wants, prosperity and advancement of the Province, and in many instances burthensome and oppressive to the people.

2d Resolved—That the different Legislative enactments passed in the Parliament of the United Kingdom, touching and concerning the said Tenure, have not attained the end sought for by their framers—and that it is expedient to adopt other efficient and equitable means for relieving the people from the above difficulties, and of gradually substituting for the Seignorial system, a Free Tenure more consonant to their condition, interests and wishes.

3d Resolved—That in the changes to be made in the Laws of Tenure—due regard should be had to the vested rights of all parties concerned, and provision made for ascertaining the same with a view to an equitable adjustment.

Ordered—That the question of concurrence be now separately put upon each of the said Resolutions.

And the first and second of the said Resolutions being again severally read, and the question of concurrence being separately put thereon, the House divided upon each, and the names being called for, they were taken down as followeth :—

YEAS.

House divides on first and second Resolutions.

<i>Armstrong,</i>	<i>Draper, Hon. W. H. Morin,</i>	<i>Smith, (Fron.)</i>
<i>Baldwin,</i>	<i>Dunscomb,</i>	<i>Sherwood,</i>
<i>Borne,</i>	<i>Durand,</i>	<i>Steele,</i>
<i>Boutillier,</i>	<i>Foster,</i>	<i>Taché,</i>
<i>Buchanan,</i>	<i>Hincks,</i>	<i>Thompson,</i>
<i>Cameron,</i>	<i>Holmes,</i>	<i>Thorburn,</i>
<i>Chesley,</i>	<i>Johnston,</i>	<i>Turcotte,</i>
<i>Christie,</i>	<i>Killaly, Hon. H. H. Raymond,</i>	<i>Watts,</i>
<i>Cook,</i>	<i>McDonald, (Glen.) Robertson,</i>	<i>Williams,</i>
<i>Day, Hon. C. D.</i>	<i>Moffatt, Hon. G. Simpson,</i>	<i>Woods,</i>
<i>Delisle,</i>	<i>Moore,</i>	<i>Yule.—45.</i>
<i>Derbshire,</i>		

NOES.

Berthelot, *Neilson,* *Viger, Hon. D. B.—3.*

Resolutions 1st and 2nd carried.

So they were carried in the affirmative.

The third and last of the said Resolutions being again read, and the

question of concurrence being put thereon, it was agreed to unanimously, and— 3rd Resolution carried.

Resolved—That this House doth concur with the Committee in the said Resolutions.

Mr. *Dunscomb* moved, seconded by Mr. *Morin*,

That the said resolutions be referred to a Committee of seven Members, to inquire into the best means of investigating the subject, with a view to its final adjustment, and to report thereon from time to time by Bill or otherwise; with power to send for persons, papers, and records. Resolutions referred to Committee of 7.

The Honorable Mr. *Viger*, moved in amendment seconded by Mr. *Berthelot*, that the words “by Bill or otherwise” be struck out of the said motion.

The question having been put upon the motion of amendment, a division ensued and it passed in the negative.

The question being then put upon the main motion, a division also ensued and it was carried in the affirmative.

Resolved—Accordingly.

Mr. *Dunscomb* moved, seconded by Mr. *Armstrong*,

That the following Members do compose the said Committee Mr. *Morin*, Mr. *Noel*, Mr. *Raymond*, Mr. *Tuschereau*, Mr. *Armstrong*, and the Honorable Mr. *Moffatt*, and that the 77th rule of this House be dispensed with in so far as relates to the appointment of this Committee. Committee.

The question having been put upon the said motion, a division ensued, and it was carried in the affirmative.

Ordered—Accordingly.

The Order of the day for the House in Committee to take into consideration the expediency of amending a certain Ordinance, passed by the Special Council of the late Province of *Lower Canada*, in the 4th year of Her Majesty's Reign, intituled “*An Ordinance for making a Rail Road, from Sherbrooke to a point upon either bank of the River Richelieu,*” being read, House goes into Committee on Ordinance relating to Sherbrooke Rail Road.

The House accordingly resolved itself into the said Committee.

Mr. *Yule*, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Yule*, reported that the Committee had come to a Resolution, which Resolution was again read at the Clerk's Table, and agreed to by the House, and is as followeth:— Resolutions reported.

Resolved—That it is expedient to amend an Ordinance of the Special Council of *Lower Canada*, passed in the 4th year of Her Majesty's Reign, intituled, “*An Ordinance for making a Rail Road, from Sherbrooke to a point upon either bank of the River Richelieu,*” as far as regards the commencement of the said Road.

Ordered—That Mr. *Moore*, have leave to bring in a Bill to amend a certain Ordinance of the Legislature of *Lower Canada*, for making a Rail Road from *Sherbrooke* to the River *Richelieu*. Bill to amend Ordinance on Sherbrooke Rail Road read first time.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Ordered—That the said Bill be read a second time on *Wednesday* next. Second reading Wednesday next.

The Order of the day for the House in Committee to take into consideration the propriety of repealing or amending the Statutes and Ordinances of that part of this Province formerly called *Lower Canada*, relating to the improvement of the Queen's Highways during the winter season, being read, House in Committee on Highways.

The House accordingly resolved itself into the said Committee.

Mr. *Cameron*, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair.

Order of day for Committee of whole on Small Debt Bill, postponed

The Order of the day for the House in Committee on the Bill to repeal the Laws now in force, in that part of this Province formerly called *Upper Canada*, for the recovery of small debts, and to make other provision therefor, being read,

Ordered—That the said order of the day be postponed until to-morrow.

Order of day for Committee of whole on Welland Canal Stock postponed

The Order of the day for the House in Committee to take into consideration the expediency of granting a sum of money to purchase the private shares in the *Welland Canal*, being read,

Ordered—That the said Order of the day be postponed until to-morrow.

Mr. *Henry Smith* moved, seconded by Mr. *Small*,

That the House do now adjourn.

The question having been put upon the said motion, a division ensued, and it passed in the negative.

House in Com. on Judicature of Gaspé.

The Order of the day for the House in Committee to take into consideration the expediency of altering and amending the judicature Acts relating to the Inferior District of *Caspé*, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Dunscomb*, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Progress

And Mr. *Dunscomb*, reported that the Committee had made some progress and directed him to move for leave to sit again.

Sit again on Wednesday

Ordered—That the said Committee have leave to sit again on *Wednesday* next.

House in Com on Justices returns of fines, &c

The Order of the day for the House in Committee on the Bill to require Justices of the Peace to make returns of convictions and fines, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Boswell*, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair.

Progress.

And Mr. *Boswell*, reported that the Committee had made some progress, and directed him to move for leave to sit again.

Sit again to-morrow.

Ordered—That the said Committee have leave to sit again to-morrow.

Caledonia Bridge Company bill, read 2nd time. To be committed on Monday.

A Bill to incorporate certain Persons under the title of "The *Caledonia Bridge Company*" was, according to order, read a second time.

Ordered—That the said Bill be referred to a Committee of the whole House in *Monday* next.

House in Committee on Mutual Insurance Act of U C

The Order of the day for the House in Committee to take into consideration the expediency of amending a certain Act of the Parliament of the late Province of *Upper Canada*, intituled "*An Act to authorize the establishment of Mutual Insurance Companies in the several Districts of the Province*," being read,

The House accordingly resolved itself into the said Committee.

Mr. *Simpson*, took the chair of the Committee and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Simpson*, reported that the Committee had come to several Resolutions, which Resolutions were again read at the Clerk's Table, and agreed to by the House, and are as followeth:—

Several Resolutions—re-ported.

Resolved—That it is expedient to amend so much of the the 5th clause of an Act passed in the 6th year of His late Majesty King WILLIAM the Fourth intituled “*An Act to authorize the establishment of Mutual Insurance Companies in the several Districts of the Province,*” as provides that the Company established in each District under the authority of the said Act shall alone have the right of insuring property lying within such District.

1st Resolution.

Resolved—That it is expedient to amend so much of the 7th clause of the said Act as provides that the affairs of each Company formed under the said Act shall be managed by a Board of Directors to be composed of seven Persons, and to substitute twelve as the number of which the said Board shall consist.

2nd Resolution.

On motion of Mr. *Hincks*, seconded by Mr. *Price*.

Resolved—That the said resolutions be referred to a Committee of five members, to consist of Mr. *Merritt*, Mr. *Baldwin*, Mr. *Small* and Mr. *Dunscumb*, to report thereon with all convenient speed, by Bill or otherwise, with power to send for persons, papers, and records, and that the 77th Rule of the House be dispensed with in so far as relates to the appointment of this Committee.

Resolutions referred to Com. of 5

The Order of the day for the House in Committee on the Bill to authorize the voting by ballot, being read,

Ordered—That the said Order of the day be postponed until *Friday* next.

Order of day for Com on Ballot Bill, postponed

The Order of the day for the House in Committee on the Bill to settle, by a more easy and less expensive mode than now by law exists, the damages which have been, or may hereafter be, sustained by the proprietors of land overflowed by means of the erection of mill-dams, being read,

Order of day for Com on Mill-dam Bill, postponed

Ordered—That the said Order of the day be postponed until tomorrow.

The Order of the day for the House in Committee to consider the expediency of amending, in part, an Ordinance of the Special Council of the late Province of *Lower Canada* 4 VIC., Cap. 42, intituled “*An Ordinance to repeal in part, and to render permanent, as amended, a certain Ordinance therein mentioned relative to Taverns and Tavern Keepers, and to make further provision relative to the same subject,*” being read,

Order of day for Com of whole on Ordinance relating to Taverns and Tavern keepers, postponed.

Ordered—That the said Order of the day be postponed until *Wednesday* next.

Then, on motion of the Honorable Mr. *Moffatt*, seconded by the Honorable Mr. *Harrison*,
The House adjourned.

Jovis, 29° die Julii;

Anno 5° *Victoriæ Reginae*, 1841.

The following Petitions were severally brought up and laid on the Table:—

Petitions brought up.

By Mr. *McLean*—The Petition of *W. Millar*, and others, of the Townships of *Roxborough* and *Finch*, County of *Stormont*.

W. Millar, & others.

Petition read up.

Henry Weeks

By Mr. *Morris*—The Petition of *Henry Weeks*, of *Yonge*, District of *Johnstown*.

Geo. P. Balou

By Mr. *Buchanan*—The Petition of *George Percival Ridout*, and others, members of the Board of Trade of *Toronto*.

Board of Works Bill read 3^d time

An engrossed Bill to repeal certain Ordinances therein mentioned, and to establish a Board of Works in this Province, was read for the third time.

Clause proposed

Mr. *Durand* moved, seconded by Mr. *Hincks*, That the following clause, marked A., be added to the Bill by way of *Ryder*, and do make part thereof:—

CLAUSE A.—“And be it enacted, this Act shall be and continue in force for four years from the passing thereof, and from thence to the end of the then next ensuing Session of Parliament, and no longer.”

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:—

	YEAS.			
House divides	<i>Armstrong,</i>	<i>Christie,</i>	<i>Merritt,</i>	<i>Price,</i>
	<i>Baldwin,</i>	<i>Cook,</i>	<i>Morin,</i>	<i>Quesnel,</i>
	<i>Barthe,</i>	<i>Duggan,</i>	<i>Morris,</i>	<i>Raymond,</i>
	<i>Borne,</i>	<i>Durand,</i>	<i>Neilson,</i>	<i>Taché,</i>
	<i>Boutillier,</i>	<i>Hincks,</i>	<i>Noel,</i>	<i>Thompson,</i>
	<i>Curtwright,</i>	<i>McNab, Sir A.N.</i>	<i>Parent,</i>	<i>Viger, Hon. D.B</i>
				(24.)

	NOES.			
<i>Boswell,</i>	<i>Delisle,</i>	<i>Johnston,</i>	<i>Robertson,</i>	
<i>Buchanan,</i>	<i>Draper, Hon. W.H.</i>	<i>Killaly, Hon. H.H.</i>	<i>Roblin,</i>	
<i>Burnet,</i>	<i>Dunn, Hon. J.H.</i>	<i>McDonald, (Glen.)</i>	<i>Small,</i>	
<i>Cameron,</i>	<i>Dunscomb,</i>	<i>McLean,</i>	<i>Steele,</i>	
<i>Chesley,</i>	<i>Foster,</i>	<i>Moffatt, Hon. G.</i>	<i>Watts,</i>	
<i>Child,</i>	<i>Hale,</i>	<i>Parke,</i>	<i>Williams,</i>	
<i>Daly, Hon. D.</i>	<i>Harrison, Hon. S.B.</i>	<i>Prince,</i>	<i>Yule.—30.</i>	
<i>Day, Hon. C. D.</i>	<i>Holmes,</i>			

Proposed clause negatived

So it passed in the negative.

Motion for passing bill

Mr. Solicitor General *Day* moved, seconded by the Honorable Mr. *Killaly*, That the Bill do pass.

Amendment to motion

Mr. *Baldwin* moved in amendment, seconded by Mr. *Durand*, That all the words after “That,” in the said motion, be expunged, and the following substituted: “the Bill be now recommitted.”

Amendment lost

The question having been put upon the motion of amendment, a division ensued, and it passed in the negative.

Bill passed and sent to Council

The question being then put upon the main motion, it was agreed to unanimously, and—

Resolved, accordingly.

Ordered—That Mr. Solicitor General *Day* do carry the said Bill to the Legislative Council, and desire their concurrence.

Message from Legislative Council

A Message from the Legislative Council, by *John Godfrey Spragge*, Esquire, Master in Chancery.

MR. SPEAKER,

Ladies Benevolent Society Bill passed

The Legislative Council have passed the Bill intituled “An Act to incorporate the Ladies Benevolent Society of *Montreal*,” without any amendment.

And, also,

LEGISLATIVE COUNCIL, THURSDAY 29th JULY, 1841.

Resolved—That it would greatly facilitate the business of this House if the Library of the Legislative Council of the late Province of *Lower Canada*, together with a moiety of the books belonging to the Legislature of *Upper Canada*, were placed under the charge of the Librarian of this House, and were accessible to the members thereof.

Resolutions relating to Library

Resolved—That the Speaker do take steps for the removal to this place of the first mentioned Library, as soon as convenient, and that a message be sent to the Legislative Assembly recommending the appointment of a joint Committee to enquire into and report to the respective Houses the number of volumes belonging to the latter Library, and how they may most properly be divided between the two Houses.

Ordered—That a copy of the foregoing resolutions be sent by the Master in Chancery to the Legislative Assembly for their information, and that they be requested to concur in the latter resolution.

Attest,

JAMES FITZGIBBON,

Clerk Legislative Council.

And then he withdrew.

The Order of the day for the third reading of the engrossed Bill to secure to and confer upon certain inhabitants of this Province the civil and political rights of natural born *British* subjects, being read,

Order of day for 3rd reading Civil rights Bill read.

Mr. *Cartwright* moved, seconded by Sir *Allan McNab*,

That the said Order of the day be discharged, and that it be—

Motion for discharging said order.

Resolved—That on the ratification of the Treaty of 1783, by *Great Britain*, and the *United States of America*, the bond of union between the inhabitants of the two countries was for ever cancelled, and the constitutional obligations on both sides were, by this concurrent Act, as completely dissolved as if they had never existed.

Resolutions on same subject moved.

1st Resolution

Resolved—That since the ratification of the said Treaty the external and internal policy of *Great Britain* and the *United States*, has proceeded upon the principle that the Inhabitants of each Country were Aliens to those of the other.

2nd Resolution.

Resolved—That the Province of *Quebec* remained faithful to His late Majesty King *GEORGE* the *Third*, and to the supremacy of the Imperial Government during the *American* Rebellion.

3rd Resolution.

Resolved—That the said Province was made an Asylum by His late Majesty *GEORGE* the *Third*, for His Loyal Subjects who during the *American* Rebellion adhered to their allegiance.

4th Resolution.

Resolved—That while every encouragement was given, by His said late Majesty's Government, for the admission of all Persons from the *United States* who had manifested their loyalty during the Rebellion, no encouragement was ever given or held out to Citizens of the *United States* to come into the Province of *Quebec*, either by Imperial or Colonial Governments.

5th Resolution.

Resolved—That notwithstanding the want of such encouragement, many Persons have continued to gain admission in this Province who, instead of being attached to *British* Laws, are either hostile or totally indifferent as to what Government they live under, provided it suits the present convenience.

6th Resolution.

Resolved—That the experience of the last four years has proved the hostile disposition of the People of the *United States* to the *British* supremacy in *Canada*, and that it is neither desirable or expedient to encourage emigration from those States into this Province.

7th Resolution.

Resolved—That this House is anxious that Her Majesty's Govern-

8th Resolution.

ment should encourage emigration from the United Empire as the only means of ensuring the permanency of that connection between the Parent State and this Province, which is so essential to the prosperity of both.

House divides on motion.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:—

YEAS.

Burnet, *MacNab, Sir A.N. Macdonald, (Glen.) McLean.*—5.
Cartwright,

NOES.

<i>Armstrong,</i>	<i>Daly, Hon. D.</i>	<i>Killaly, Hon. H.H.</i>	<i>Robertson,</i>
<i>Baldwin,</i>	<i>Day, Hon. C. D.</i>	<i>Merritt,</i>	<i>Roblin,</i>
<i>Barthe,</i>	<i>Delisle,</i>	<i>Moffatt, Hon. G.</i>	<i>Simpson,</i>
<i>Berthelot,</i>	<i>Derbshire,</i>	<i>Morin,</i>	<i>Small,</i>
<i>Borne,</i>	<i>Draper, Hon. W.H.</i>	<i>Morris,</i>	<i>Smith, (Fron.)</i>
<i>Boswell,</i>	<i>Dunscumb,</i>	<i>Neilson,</i>	<i>Steele,</i>
<i>Boutillier,</i>	<i>Durand,</i>	<i>Noel,</i>	<i>Taché,</i>
<i>Buchanan,</i>	<i>Foster,</i>	<i>Parent,</i>	<i>Thompson,</i>
<i>Cameron,</i>	<i>Hale,</i>	<i>Parke,</i>	<i>Viger, Hon. D.B.</i>
<i>Chesley,</i>	<i>Harrison, Hon. S.B.</i>	<i>Price,</i>	<i>Watts,</i>
<i>Child,</i>	<i>Hincks,</i>	<i>Prince,</i>	<i>Williams,</i>
<i>Christie,</i>	<i>Holmes,</i>	<i>Raymond,</i>	<i>Yule.</i> —49.
<i>Cook,</i>			

Motion lost, and Bill read 3rd time.

So it passed in the negative.

The said Bill was then, according to order, read for the third time.

The Honorable Mr. *Harrison* moved, seconded by Mr. *Prince*, That the Bill do pass.

Mr. *Simpson*, moved in amendment, seconded by Mr. *Cartwright*, That the Bill be now re-committed.

The question having been put upon the motion of amendment, a division ensued, and it passed in the negative.

The question being then put upon the main motion, it was agreed to unanimously, and—

Bill passed.

Resolved,—accordingly.

Ordered—That the Honorable Mr. *Harrison*, do carry the said Bill to the Legislative Council and desire their concurrence.

Leave of absence to Mr. Duggan.

Ordered—That Mr. *Duggan*, have leave to absent himself from this House during the space of eight days, on urgent business.

Petitions read.

Pursuant to the Order of the day the following Petitions were read :

Archibald M'Donnell and others

Of *Archibald McDonell* and others, of the Townships of *Gloucester, Osgoode*, and *Russell*, praying that a Turnpike Road be made from *Bytown* to the *St. Laurence*, and that it pass through the foregoing Townships.

Nicholas Gifford and others.

Of *Nicholas Gifford* and others, of the *Ottawa* District, praying that a new Court House and Gaol may be erected in a more central and convenient part of the District than where the present buildings now are.

John Cameron.

Of *John Cameron*, of the Township of *Finch*, County of *Stormont*, praying for an aid to open a Road in the said Township.

Rev. W. Anderson, and others.

Of the Reverend *William Anderson*, and others of *William Henry*, praying for an aid of £100 towards the support of a School.

H. Robinson, and others.

Of *H. Robinson*, and others of the Township of *Shefford*. County of *Shefford*, praying for an aid of £1000 to alter and improve the Public Road in the vicinity of *Waterloo*, in said County.

Of Joseph Masson and others.

Of *Joseph Masson*, and others of *Toronto*, praying for an Act of incorporation under the style of "The City of *Toronto* Gas Light Company."

Of *W. B. Jarvis*, and others of the City of *Toronto* praying for an Act of incorporation in favour of *Joseph Masson* and others, under the style of "The City of *Toronto* Gas Light Company."

Of *W. B. Jarvis* and others.

Of the Mayor, Alderman and Commonalty of the City of *Toronto*, praying for an Act of incorporation in favour of *Joseph Masson* and others, under the style of "The City of *Toronto* Gas Light Company."

Mayor &c., of *Toronto*.

Of *Charles Tait*, and others of *Montreal*, praying that an Act be passed to extend the time in the 53rd Section of the Ordinance of the late Special Council of *Lower Canada*, of the fourth year of Queen *VICTORIA* chapter 41.

Of *Charles Tait* and others.

Of *James Kennedy*, and others, of the Township of *Chatham*, County of the *Lake of Two Mountains*, praying for the establishment and support of Schools throughout the Province.

James Kennedy and others.

Of *William Young*, and *Donald W. Phail*, of the Township of *Chatham*, County of the *Lake of Two Mountains*, praying for an aid towards the support of School, number five, in the said Township.

Of *William Young*, and *Donald W. Phail* Committee formed.

Resolved—That the Petition of *John Grubb*, *Thomas Masson*, and others, Inhabitants of the Townships of *Etobicoke*, *Vaughan*, *King*, and other places in the *Home* District, presented to the House on the 16th of *June* last, be referred to a Committee of five Members, to examine the contents thereof, and report thereon with all convenient speed, by Bill or otherwise; with power to send for persons, papers, and records.

Petition of *J. Grubb*, *T. Masson* and others referred.

Ordered—That *Mr. Price*, *Mr. Baldwin*, *Mr. Small*, *Mr. Duggan*, and *Mr. Durand*, do compose the said Committee.

Committee formed.

Resolved—That the Return to an Address of the 6th instant from the House of Assembly to His Excellency, the Governor General, relative to the claim of *Christopher Leggo*, of *Brockville*, laid before the House yesterday, be referred to a Committee of five Members, to report thereon with all convenient speed, with power to send for persons, papers, and records.

Answer to an address on the claim of *Christopher Leggo*, referred to a Select Committee.

Ordered—That *Mr. Morris*, *Mr. Sherwood*, *Mr. Cameron*, *Mr. Cartwright*, and *Mr. Price*, do compose the said Committee.

Committee formed.

Resolved—That the Petition of *Joseph Masson*, and others of *Toronto*, the Petition of *W. B. Jarvis*, and others of the City of *Toronto*, and the Petition of the Mayor, Alderman and Commonalty of the City of *Toronto*, be referred to a Committee of three Members, to examine the contents thereof, and report thereon with all convenient speed, by Bill or otherwise; with power to send for Persons, papers, and records.

Petition of *Jos. Masson* and others, of *W. B. Jarvis* and others, and of the Mayor, Ald. and Commonalty of the City of *Toronto*, referred to a Sel. Com.

Ordered—That *Mr. Holmes*, *Mr. Buchanan* and the Honorable *Mr. Dunn*, do compose the said Committee.

Committee formed.

Mr. Neilson, from the Select Committee appointed to draft humble Petitions to Her Majesty and both Houses of the Imperial Parliament founded on the Resolutions of this House of the 26th instant, relative to the proposed alteration of the Timber Duties, reported the drafts of the said Petitions, which were again severally read at the Clerk's table, and agreed to by the House, and are as followeth:—

Petitions to Her Majesty, reported.

To the Queen's Most Excellent Majesty.

MAY IT PLEASE YOUR MAJESTY:

We, Your Majesty's most dutiful and loyal subjects, the Legislative Assembly of the Province of *Canada*, in Provincial Parliament Assembled, most humbly represent that we have learned, with serious apprehensions, that Your Majesty's servants have recently proposed to the Honorable the House of Commons an alteration, unfavorable to the Colonies, in the relative scale of duties levied on Foreign and Colonial Timber and Deals, on

Petition to Her Majesty on the subject of duties on Timber and deals, on importation into the United Kingdom, from the Colonies.

their importation into the United Kingdom, which scale has remained nearly the same during the last thirty years.

That the discriminating duty in favor of Colonial Timber and Deals was originally established without any solicitation, on the part of the inhabitants of the Colonies, and was considered by them as connected with objects of national policy, and therefore likely to be permanent, and they accordingly embarked their capital and industry in the Trade of preparing and bringing to the Home Market the produce of the Forests of *Canada*; which trade, during the continued encouragement of the relative scale of Duties, has grown, from the loading in part of a few vessels frequenting the Saint Lawrence, to the loading of more than a thousand ships annually.

That the competition in the Trade, in Timber and Deals in the Colony, is free to all Your Majesty's subjects, and that under an unfavorable alteration of the existing duties, the Trade must almost altogether cease, and a great part of the capital vested in the Trade, and in Lumbering Establishments, be lost, while a very large portion of the Inhabitants must be deprived of their usual employments—the Agriculturists be, to a great degree, deprived of a near and advantageous market for their produce, Importations be greatly diminished, and the Province left without a sufficient revenue for the support of its local Government, the discharge of its existing engagements, and providing for the public wants.

Wherefore Your Petitioners humbly pray that Your Majesty will be graciously pleased to maintain the Inhabitants of this Province in the privileges and protection which their Trade now enjoys.

And Your Petitioners, as in duty bound, will ever pray.

Legislative Assembly,
Province of Canada,
Kingston, — July, 1841. }

To the Lords Spiritual and Temporal of the United Kingdom of *Great Britain and Ireland*, in Parliament assembled.

The Petition of the Legislative Assembly of the Province of *Canada*, in Provincial Parliament assembled.

HUMBLY SHEWETH:

That Your Petitioners have learned, with serious apprehensions, that Her Majesty's Ministers have recently proposed to the Honorable the House of Commons an alteration, unfavorable to the Colonies, in the relative scale of Duties levied on Foreign and Colonial Timber and Deals, on their importation into the United Kingdom, which scale has remained nearly the same during the last thirty years.

That the discriminating duty in favor of Colonial Timber and Deals, was originally established without any solicitation on the part of the inhabitants of the Colonies, and was considered by them as connected with objects of national policy, and therefore likely to be permanent, and they accordingly embarked their capital and industry in the Trade of preparing and bringing to the Home market the produce of the Forests of *Canada*; which Trade, during the continued encouragement of the relative scale of duties, has grown, from the loading in part a few vessels frequenting the Saint Lawrence, to the loading of more than a thousand large ships annually.

That the competition in the Trade in Timber and Deals in the Colony is free to all Her Majesty's subjects, and that under an unfavorable alteration of the existing Duties, the trade must almost altogether cease, and a great part of the capital vested in the Trade and in Lumbering Es-

Petition to the Lords on the subject of duties on Colonial timber introduced into Great Britain.

establishments be lost, while a very large portion of the inhabitants must be deprived of their usual employments—the Agriculturists be, to a great degree, deprived of a near and advantageous market for their produce—Importations be greatly diminished, and the Province left without a sufficient revenue for the support of its local Government, the discharge of its existing engagements, and providing for the public wants.

Wherefore Your Petitioners humbly pray that Your Most Honorable House will be pleased to maintain the Inhabitants of this Province in the privileges and protection which their Trade now enjoys.

And Your Petitioners, as in duty bound, will ever pray.

Legislative Assembly, }
Province of Canada, }
Kingston, — July, 1841. }

To the Honorable the Knights, Citizens and Burgesses, the Commons of the United Kingdom of *Great Britain and Ireland*, in Parliament assembled.

The Petition of the Legislative Assembly of the Province of *Canada*, in Provincial Parliament assembled.

HUMBLY SHEWETH :

That Your Petitioners have learned, with serious apprehensions, that Her Majesty's Ministers have recently proposed to Your Honorable House an alteration, unfavorable to the Colonies, in the relative scale of Duties levied on Foreign and Colonial Timber and Deals, on their importation into the United Kingdom, which scale has remained nearly the same during the last thirty years.

Petition to the British House of Commons on the subject of the duty levied on Colonial Timber and deals, imported into the ports of Great Britain.

That the discriminating duty in favor of Colonial Timber and Deals was originally established without any solicitation on the part of the inhabitants of the Colonies, and was considered by them as connected with objects of national policy, and, therefore likely to be permanent, and they accordingly embarked their Capital and Industry in the Trade of preparing and bringing to the Home Market the produce of the Forests of *Canada*—which Trade, during the continued encouragement of the relative scale of Duties, has grown, from the loading in part of a few vessels frequenting the Saint Lawrence, to the loading of more than a thousand large ships annually.

That the competition in the Trade in Timber and Deals in the Colony is free to all Her Majesty's subjects, and that under an unfavorable alteration of the existing Duties, the Trade must almost altogether cease, and a great part of the capital vested in the Trade and in Lumbering Establishments, be lost, while a very large portion of the inhabitants must be deprived of their usual employments—the Agriculturists be, to a great degree, deprived of a near and advantageous Market for their produce—Importations be greatly diminished, and the Province left without a sufficient revenue for the support of its local Government, the discharge of its existing engagements, and providing for the public wants.

Wherefore Your Petitioners humbly pray that Your Honorable House will be pleased to maintain the inhabitants of this Province in the privileges and protection which their Trade now enjoys.

And Your Petitioners, as in duty bound, will ever pray.

Legislative Assembly, }
Province of Canada, }
Kingston, — July, 1841. }

On motion of Mr. *Neilson*, seconded by Mr. *Cameron*.

Resolved—That the Petitions to Her Majesty and to both Houses of the Imperial Parliament, on the proposed alteration of the Timber duties

Petitions to be communicated to Legislative Council for their concurrence.

adopted by this House this day, be communicated, by Message, to the Honorable the Legislative Council, requesting their concurrence therein.

Ordered—That Mr. *Neilson*, do carry the said Message to the Legislative Council.

Bill to provide for the freedom of Elections to be committed on Tuesday next.

On motion of Mr. *Baldwin*, seconded by Mr. *Durand*,

Ordered—That the Bill the better to provide for the freedom of elections throughout this Province, and for other purposes therein mentioned, be referred to a Committee of the whole House on *Tuesday* next, and that it be then the first Order of the day.

Order of day for the 2nd reading Militia Law Bill revived

On motion of Mr. *Merritt*, seconded by Mr. *Thompson*,

Ordered—That the Order of the day for the second reading of the Bill to amend the Militia Law of that part of the Province formerly constituting the Province of *Upper Canada*, lost by the adjournment of the House on *Wednesday* last, be revived, and that the said Bill be read a second time to-morrow.

Enregistration Bill brought in

Ordered—That the Honourable Mr. *Harrison* have leave to bring in a Bill to provide for the enregistration of persons entitled to vote at elections of members of the Legislative Assembly of this Province, and to make better provision for the holding of such elections.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Second reading Tuesday next.

Ordered—That the said Bill be read a second time on *Tuesday* next.

Committee of whole on Heir and Devisee Laws, to-morrow.

On motion of Mr. *J. S. Macdonald*, seconded by Mr. *Boutillier*.

Resolved—That this House will, on to-morrow, resolve itself into a Committee of the whole House, to take into consideration the expediency of amending and consolidating the several Acts now in force in that part of this Province formerly constituting *Upper Canada*, in relation to the Heir and Devisee Commission.

Order for the day for the 2nd reading Bill to relieve Inhabitants of Saguenay revived.

On motion of Mr. *Parent*, seconded by Mr. *Neilson*,

Ordered—That the Order of the day for the second reading of the Bill to exempt the inhabitants of the County of *Saguenay* from the operation of certain Ordinances therein mentioned, lost by the adjournment of the House yesterday, be revived, and that the said Bill be read a second time on *Monday* next.

Bill to regulate the appointment of Magistrates' Clerks brought in and read 1st time

Ordered—That Mr. *Boutillier* have leave to bring in a Bill to regulate the appointment of Clerks of Magistrates in Country Parishes and Townships in the late Province of *Lower Canada*, and to provide rules for their conduct, and that of Bailiffs, in certain cases.

He accordingly presented the said Bill to the House, and the same was received and read a first time.

Second reading on Wednesday.

Ordered—That the said Bill be read a second time on *Wednesday* next.

Order of day for Committee of whole on Law relating to boundary line Commissioners revived

On motion of Mr. *Roblin*, seconded by Mr. *J. S. Macdonald*,

Ordered—That the Order of the day, for the House in Committee, to take into consideration the propriety of amending the Laws now in force respecting the Boundary Line Commissioners within the Western part of *Canada*, lost by the adjournment of the House of yesterday, be revived, and that this House will, on *Wednesday* next, resolve itself into the said Committee.

Committee of whole on Laws regulating Pilots, Shipping, &c.

On motion of the Honourable Mr. *Daly*, seconded by the Honourable Mr. *Harrison*,

Resolved—That the House do now resolve itself into a Committee of

the whole House, to consider the expediency of repealing and amending, in part, the Laws now in force for the regulation of Pilots and Shipping in the Port and Harbour of *Quebec*, and for improving the navigation of the River *Saint Laurence*.

The House accordingly resolved itself into the said Committee.

Mr. *Roblin* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Roblin* reported, that the Committee had come to a Resolution, which Resolution was again read at the Clerk's Table, and agreed to by the House, and is as followeth:—

Chairman reports a Resolution.

Resolved—That it is expedient to repeal and amend, in part, the Laws now in force for the regulation of Pilots and shipping in the Port and Harbour of *Quebec*, and for improving the navigation of the River *St. Laurence*, and to extend the powers, and increase the funds of the Corporation of the Trinity House of *Quebec*.

Resolution.

Ordered—That the Honourable Mr. *Daly* have leave to bring in a Bill to repeal and amend in part certain Acts and a certain Ordinance therein mentioned, and to extend the powers and increase the funds of the Corporation of the Trinity House of *Quebec*.

Trinity House *Quebec* Bill brought in and read first time.

He accordingly presented the said Bill to the House and the same was received and read for the first time, and—

Ordered—That the said Bill be read a second time on *Tuesday* the 10th of *August* next.

Second reading on 10th August next.

A Bill to repeal certain parts of an Act therein mentioned, and to provide for taking a periodical census of the inhabitants of this Province, and for obtaining the other statistical information therein mentioned was, according to order, read a second time.

Census Bill read 2nd time.

Ordered—That the said Bill be referred to a Committee of the whole House on *Thursday* next.

To be committed on Thursday next.

The Order of the day for the House in Committee on the Bill to require Justices of the Peace to make returns of convictions and fines, being read,

House in Committee of whole on Bill to require returns of Fines, &c. from Justices.

The House accordingly resolved itself into said Committee.

Mr. *Powell* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Powell* reported that the Committee had gone through the Bill and had made several amendments thereto, which he was directed to report to the House whenever it will be pleased to receive the same.

Bill reported amended.

Ordered—That the report be received to-morrow.

The Order of the day for the House in Committee on the Bill to provide for the better internal Government of that part of this Province heretofore *Upper Canada*, by the establishment of local or Municipal authorities therein, being read,

Order of day for Committee of whole on Municipal Corporation Bill postponed till Tuesday next.

Ordered—That the said Order of the day be postponed until *Tuesday* next.

The Order of the day for the House in Committee to take into consideration the expediency of repealing the law of that part of the Province heretofore *Upper Canada*, for the disposal of the Public Lands of the Province, and providing by a law applicable to all parts of the Province for the disposal of Public Lands therein being, read,

Committee of whole on repealing Laws for disposal of Public Lands.

The House accordingly resolved itself into the said Committee.

Mr. *Armstrong* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Chairman reports a Resolution.

And Mr. *Armstrong* reported that the Committee had come to a Resolution, which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth :—

Resolution

Resolved—That it is expedient to repeal the law of that part of the Province called *Upper Canada*, regulating the sale of Public Lands, and to provide, by a law applicable to all parts of this Province, for the disposal of Public Lands therein.

Bill for disposal of Public Lands brought in and read 1st time.

Ordered—That the Honourable Mr. *Harrison* have leave to bring in a Bill for the disposal of Public Lands.

He accordingly presented the said Bill to the House, and the same was received and read for the first time, and—

Second reading Tuesday next

Ordered—That the said Bill be read a second time on *Tuesday* next.

Committee of whole on Small Debts Bill

The Order of the day for the House in Committee on the Bill to repeal the laws now in force in that part of this Province formerly called *Upper Canada*, for the recovery of small debts, and to make other provisions therefor, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Thompson* took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Bill reported amended.

And Mr. *Thompson* reported that the Committee had gone through the Bill and made several amendments thereto, which he was directed to report to the House whenever it shall be pleased to receive the same.

Ordered—That the Report be received to-morrow.

Order of day Committee of whole on District Court Law of U C postponed.

The Order of the day for the House in Committee on the District Court Law of *Upper Canada*, as regards the payment of Judges and Clerks, being read,

Ordered—That the said Order of the day be postponed until to-morrow.

Order of the day for Committee of whole on purchasing private Stock of Welland Canal, postponed.

The Order of the day for the House in Committee to take into consideration the expediency of granting a sum of money to purchase the private shares in the *Welland Canal* being read,

Ordered—That the said Order of the day be postponed, until to-morrow.

Order of the day for Committee of whole on Mill dam Bill postponed

The Order of the day for the House in Committee on the Bill to settle, by a more easy and less expensive mode than now by Law exists, the damages which have been, or may hereafter be, sustained by the Proprietors of Land overflowed by means of the erection of Mill Dams, being read,

Ordered—That the said Order of the day be postponed until to-morrow.

Then on motion of the Honourable Mr. *Viger*, seconded by Mr. *Baldwin*,

The House adjourned.

Veneris, 30^o die Julii;

Anno 5^o Victoriae Reginae. 1841.

The following Petitions were severally brought up and laid on the Table:—

By Mr. *Robertson*, the Petition of *James McCrea*, and others, Inhabitants of the *East* settlements in the Seignory of *Argenteuil*, County of the *Lake of Two Mountains*. Petitions brought up.
James McCrea and others.

By Mr. *Dunscomb*, the Petition of *William Wheeler*, of *Russelltown*, County of *Beauharnois*, and the Petition of *Peter Row* of *Russelltown*, County of *Beauharnois*. Wm. Wheeler.
Peter Row.

By Mr. *Baldwin*, the Petition of *James B. Ewart*, and others, of the Townships of *West Flamborough*, *Beverly*, and other places. Jas. B. Ewart and others.

By Mr. *Christie*, the Petition of *William Burton*, and others, freeholders and Inhabitants of the County of *Bonaventure*. William Burton and others.

By Mr. *Morin*, the Petition of *Jean Baptiste Millette* and others, Inhabitants and Proprietors of the Parish of *Longue Pointe* and other places. J. B. Millette and others.

By Mr. *Watts*, the Petition of *Bernard Smith*, and others, Inhabitants of the second Range of the Township of *Durham*. Bernard Smith and others.

By Mr. *Thorburn*, the Petition of *John L. Alma*, late Returning Officer of the Town of *Niagara*, John L. Alma.

By Mr. *Prince*, the Petition of *George Nichols*, of *Johnstown*, and the Petition of *John Carley*, of the Township of *Dumclich*, County of *Middlesex*. George Nichols.
John Carley.

By Mr. *Price*, the Petition of *Alfred Patrick*, stating that, for eleven years previous to the last, his average yearly pay as a Clerk in the Office of the late House of Assembly of Upper Canada, was £200 : and that last year it amounted only to £140 3 4 ; and praying that it may be increased to £200 for the past year. Alfred Patrick.

On motion of Mr. *Price*, seconded by Mr. *Durand*, Petition read.
Ordered—That the said Petition be now read, and that the Rule of this House of the 28th of *June* last, be dispensed with as to the present Petition.

The said Petition was read accordingly.

Pursuant to the Order of the day the following Petitions were read : Petitions read.

Of *John Reid*, and *Robert Shepherd*, of *Brockville*, praying that the Legislative Assembly will cause to be paid to them the amount of their claim as contractors for Locks and excavations on the *Saint Lawrence Canal*, against the Commissioners of the said Canal. Of John Reid and Robt. Shepherd.

Of *James George*, Moderator of the Synod of the *Presbyterian Church of Canada*, in behalf of the said Church, praying that an enactment be made for the use of the Bible in all the Schools in this Province. Of Jas. George, Moderator of Presbyterian Synod.

Of *Joseph L. Dowsley*, and others, Inhabitants of the Township of *Escott* praying to be separated from the Township of *Yonge* for all local purposes. Of Jos. L. Dowsley and others.

Of *Robert F. Gourlay*, of *Kingston*, complaining of losses sustained by him at the hands of the Executive Government of *Upper Canada*, and praying relief. Of R. F. Gourlay

Of the Reverend *Andrew Balfour*, of the Township of *Waterloo*, County of *Shefford*, praying for an aid for a School. Of Rev. Andrew Balfour.

Of *Charles Bockus*, Esquire, and others, Freeholders and Inhabitants of the Township of *Hallowell*. praying that the Bill for repealing the Laws Of Charles Bockus, and others

now in force for the recovery of small debts, now before the House may not be passed.

Petition of Alfred Patrick referred to Committee on Contingencies.

On motion of Mr. *Price*, seconded by Mr. *Durand*,
Ordered—That the Petition of *Alfred Patrick*, be referred to the Special Committee on the Contingent accounts and expenses of the present Session.

Petition of H. Robinson and others, of Shefford, referred to Select Committee.

On motion of Mr. *Foster*, seconded by Mr. *Moore*,
Ordered—That the Petition of *H. Robinson* and others, of the County of *Shefford*, praying to be united to the Fire Assurance Company of the Counties of *Stanstead* and *Sherbrooke*, be referred to the select Committee to which was referred the Petition of *James Millar*, and others.

Petition of W. W. Baldwin and others referred.

On motion of Mr. *Small*, seconded by Mr. *Price*,
Ordered—That the Petition of *W. W. Baldwin*, and others, of the County of *York* and City of *Toronto*, presented to the House on the 30th of *June* last, be referred to the Special Committee to which was referred the Petition of *Peter Leppard*, of *East Gwillimbury, Home District*.

Petition of John Reid and Robert Shepherd of Brockville, referred.

Resolved—That the Petition of *John Reid* and *Robert Shepherd*, of *Brockville*, be referred to a Committee of *six* Members to examine the contents thereof and report thereon, with all convenient speed; with power to send for persons, papers, and records.

Ordered—That Mr. *Morris*, Mr. *Sherwood*, Mr. *Merritt*, the Honourable Mr. *Harrison*, and the Honourable Mr. *Killaly*, do compose the said Committee.

Petitions of divers Inhabitants of Oakland, of Samuel Garnsey & others, and of James Covernton and others referred to Committee of whole, on Wednesday next.

On motion of Mr. *Powell*, seconded by Mr. *Thompson*,
Ordered.—That the Petitions of divers inhabitants of the Township of *Oakland*, presented to the House on the 22nd of *June* last, of *Samuel Garnsey*, and others, inhabitants of the Township of *Bayham*, and of *James Covernton* and others, Magistrates and inhabitants of the District of *Talbot*, presented to the House on the 5th instant, be referred to a Committee of the whole House on *Wednesday* next.

Committee to prepare and report Statements of the grounds on which the Bill for preventing failure of Justice at Elections, was founded, presents report

Sir *Allan MacNab*, from the Special Committee to which was referred the Message from the Honourable the Legislative Council, of the 21st instant, relating, to the Bill intituled “*An Act for preventing any failure of justice in respect of complaints of undue elections or Returns of Members of the Legislative Assembly of this Province at the last general election*,” with instructions to prepare and report with all convenient speed, a statement of the grounds upon which this House proceeded in passing the said Bill, presented to the House the report of the said Committee, which was again read at the Clerk’s table, and agreed to by the House, and is as followeth :—

Report

“The grounds and evidence upon which your Honourable House proceeded in passing the said Bill were derived, some of them, from the records of the Imperial Parliament, some from those of the Provincial Parliament of *Lower Canada*, some from the Journals of your own House, some from public notoriety, and others from the information of those Honourable Members who had charge of the several Petitions referred to in the said Bill, and who had presented such Petitions to your Honourable House; and that such grounds and evidence were as followeth :—

That certain Acts of the Provincial Parliament of the late Province of *Lower Canada*, to regulate the trial of contested elections in that Province, were, by an Act of the said Provincial Parliament, passed in the 4th. year of the Reign of His late Majesty King *WILLIAM* the Fourth, continued until the first day of *May*, one thousand eight hundred and thirty six

and thence, until the end of the then next session of the Provincial Legislature, and no longer ; that after the said first day of *May*, in the year aforesaid, the Provincial Parliament of the said Province was duly convened by Royal Proclamation on two several occasions at the City of *Quebec* in that Province, and on each of those occasions continued sitting for several days, and was, on both occasions, duly prorogued ; on the first, by the representative of the Sovereign in person, and on the second, by Royal Proclamation : that as well in common parlance, as in the published Journals of both Houses of the said Provincial Parliament ; in one of the speeches from the Throne delivered to such Parliament ; in the addresses of both Houses to the Governor General ; in the Journals of the Imperial House of Commons, and in the official correspondence of the secretary of state for the colonies, in reference to the proceedings at such meetings, the said meetings were called and spoken of as sessions of the said Provincial Legislature.—That in consequence of the said Acts to regulate the trial of such contested elections not having been further continued by any Legislative enactment made at either of the said meetings, such Acts had, in the common estimation of the Public, been looked upon and esteemed as having expired, and as being no longer in force at the time of the passing of the Act of the Imperial Parliament for suspending the constitution of the said Province of *Lower Canada*, and that consequently the said Acts were not continued by the Provisions of the Act of the Imperial Parliament for reuniting the Provinces of *Lower* and *Upper Canada* ; an impression strengthened by the circumstance of the Special Council having deemed it expedient to pass an Ordinance for continuing an Act of the Parliament of *Lower Canada*, which had a similar tendency to that of the Acts before mentioned.—That in consequence of there having been no Act of the Provincial Parliament passed, nor any judgment given at either of the said meetings it has been deemed by Your Honourable House that the said meetings, were not either of them sessions of the Provincial Legislature, within the meaning of the Legislative provision for continuing such Acts, and that consequently the same are in force at this day.

Report.

That the Petitions referred to in the said Bill, although unaccompanied with the formalities required by those Acts, were, during the early part of the present session, received by Your Honourable House without the circumstance of the said Acts being still in force having been brought under the consideration of Your Honourable House.—That those petitions contain allegations of the occurrence of outrages of the most aggravated and atrocious character, which, if true, are not only most injurious to the peace of the country, but destructive of the character of Your Honourable House as being a true representative of the people.

That in consequence of the said Petitions having been so received, the Petitioners were left under the misapprehension that the said Acts were not in force, and Your Honourable House not having come to a contrary decision until after the period of presenting such Petitions according to the said Acts, the Petitioners were thus deprived of the opportunity of presenting new Petitions accompanied with the proper formalities, which they might have done, had Your Honourable House rejected those said Petitions in the first instance as not complying with those Acts.

That from the want of such formalities, Your Honourable House, without such authority as is provided by the said Bill, is precluded from proceeding upon the said Petitions under the provisions of the said Act, a course which, from the protection it affords to the sitting Members from unfounded complaints, is more beneficial to them than to any other.”

On motion of Sir *Allan McNab*, seconded by Mr. *Neilson*,

Ordered—That the report of the Special Committee to which was referred the Message from the Honourable the Legislative Council of the 21st

Report, with copies of Petitions referred to, to be communicated to

the Legislative Council

instant, relating to the Bill intituled "*An Act for preventing the failure of justice in respect of complaints of undue elections or returns of Members of the Legislative Assembly of this Province at the last General Election,*" together with copies of the several Petitions therein referred to, be communicated, by Message, to the Honourable the Legislative Council.

Ordered—That Sir *Allan McNab* do carry the said Message to the Legislative Council.

Macadamized Road Bill reported amended.

Mr. *Durand*, from the Special Committee, to which was referred the Bill to repeal a certain Section of an Act of the Legislature of *Upper Canada*, relative to macadamized roads, reported that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table.

Bill referred to Committee of whole on Monday next

Ordered—That the said Bill be referred to a Committee of the whole House on *Monday* next.

Committee on printing present 3rd report

Mr. *Morris*, from the Special Committee appointed to superintend the Printing of this House during the present Session, with power to report from time to time, presented to the House the third report of the said Committee, which was again read at the Clerk's table, as followeth:—

Report.

"Your Committee having fully considered the subject matter of their second report, which was, by Your Honourable House, referred back for consideration, have now to state, that nothing has been elicited to induce Your Committee to believe that a combination existed between the Printers, or that the prices at which the Printing is offered to be performed is excessive. Your Committee have therefore respectfully to recommend that the daily printing of Your Honourable House, together with the printing of the Journals and Appendices of the present Session, be given to Messrs. *Desbarats & Cury*, who have tendered for the work at the following prices:—

Daily Printing in the *English* language, per 1000 Ems, 2s 6d.

Do. in the *French* language, per 1000 Ems, 2s 9d.

Journals and Appendices in the *English* and *French* languages, per 1000 Ems, 2s. 3c.

Your Committee have also to report that *Richard Brewer* has offered to bind the Journals and Appendices of the Legislative Assembly, at three shillings per volume of not more than 550 pages, and three pence per volume for every additional fifty pages; and the price, in the opinion of Your Committee, being exceedingly moderate, the tender is humbly recommended for the adoption of Your Honourable House.

Ordered—That the said report be now referred to a Committee of the whole House.

House goes into Committee of whole on Report

The House accordingly resolved itself into the said Committee.

Mr. *Cameron* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Several Resolutions reported and to be received on Monday next.

And Mr. *Cameron* reported, that the Committee had come to several Resolutions, which he was directed to submit to the House whenever it shall be pleased to receive the same.

Ordered—That the report be received on *Monday* next.

Return. Court of Chancery

The Honorable *S. B. Harrison* presented, pursuant to an Address of the House of Assembly of the 19th instant, a return on the subject of the Court of Chancery of the Province of *Upper Canada*.

For the said Return, see Appendix (P.)

And also, pursuant to an Address of the 20th instant, a return on the

subject of the Loans made by the Government to the *Cobourg, Port Hope* and *Oakville* Harbour Companies.

For the said Return, see Appendix (Q).

Return from H. E. of Loans to certain Companies.

Ordered—That Mr. *Prince* have leave to absent himself from this House during eight days from *Monday* next, on urgent business.

Leave of absence to Mr. Prince and Mr. Chesley.

Ordered—That Mr. *Chesley* have leave to absent himself from this House during six days from *Monday* next, on urgent business.

On motion of Mr. *Derbishire*, seconded by Mr. *Johnston*,

Ordered—That the Order of the day for the House in Committee on the Bill to authorize a further loan to complete the building of the Court House and Gaol for the intended District of *Dalhousie*, lost by the adjournment of the House of *Wednesday* last, be revived, and that this House will, on *Monday* next, resolve itself into the said Committee.

Order for Committee of whole on Dalhousie Court House Bill, revived.

Ordered—That when this House doth adjourn, it will adjourn until *Monday* next.

House to adjourn till Monday.

On motion of the Honourable Mr. *Harrison*, seconded by Mr. *Boswell*,

Ordered—That the engrossed Bill from the Legislative Council, intituled “*An Act to explain and amend an Act passed in the Provincial Parliament of Upper Canada, in the seventh year of the Reign of King WILLIAM the Fourth, intituled ‘An Act to establish a Court of Chancery in this Province,’ and to render more effectual the said Court,*” be read a second time on *Tuesday* next.

2nd reading Court of Chancery bill on Tuesday next.

Sir *Allan McNab* moved, seconded by Mr. *Simpson*,

That the Order of the day for the House in Committee on the first report of the Special Committee, appointed to inquire what assistance it will be necessary to afford to the Clerk, and what offices and departments it will be expedient to establish for the effective and orderly conduct of the business of this House, lost by the adjournment of the House of *Monday* last, be revived, and that this House do now resolve itself into the said Committee.

House to go into Com. of whole on report on Clerk's office, on Monday next.

The Honourable Mr. *Viger* moved in amendment, seconded by the Honourable Mr. *Harrison*,

‘That the word “now” be struck out of the said motion, and the words “*Monday* next” be substituted.

The question having been put upon the motion of amendment, a division ensued, and it was carried in the affirmative.

The question being then put upon the main motion, as amended, it was agreed to unanimously, and—

Resolved, accordingly.

The Honourable *S. B. Harrison*, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency, the Governor General, the Report of the Commissioner of the Provincial Steam Dredging Machine, pursuant to the *Upper Canada* Statutes of the 5th WILL. IV., Cap. 30, and 6th WILL. IV., Cap. 46.

Report of Commissioner on Steam Dredge presented.

For the said Report, see Appendix (R.)

Resolved—That the said Report be referred to a Committee of five members, to report thereon with all convenient speed, by Bill or otherwise, with power to send for persons, papers and records.

Report referred.

Ordered—That Mr. *Therburn*, Mr. *Williams*, the Honourable Mr. *Kilgaly*, Mr. *Small*, and Mr. *Merritt*, do compose the said Committee.

Committee formed.

Mr. *Simpson* moved, seconded by Mr. *Hincks*,

That the Order of the day for the House in Committee, to consider

Order of day revived and House to go into

Com. on rules on Wednesday next.

the expediency of altering, rescinding or amending, any of the Rules of this House, lost by the adjournment of the House of *Friday*, the 16th instant, be revived, and that this House will, on *Wednesday* next, resolve itself into the said Committee.

The question having been put upon the said motion, a division ensued, and it was carried in the affirmative.

Ordered, accordingly.

Justices convictions & fines Bill reported amended, and agreed to.

Mr. *Powell*, from the Committee of the whole House on the Bill to require Justices of the Peace to make returns of convictions and fines, reported, according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered—That the said Bill, as amended, be engrossed.

Small debts Bill reported amended.

Mr. *Holmes*, from the Committee of the whole House on the Bill to repeal the Laws now in force in that part of this Province formerly called *Upper Canada*, for the recovery of small debts, and to make other provisions therefor, reported, according to Order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table.

Ordered—That the question of concurrence be now separately put upon the said amendments:

1st to 29th amendment agreed to

And the 1st to the 29th of the said amendments, inclusive, being again severally read, and the question of concurrence being separately put thereon, they were agreed to.

30th amendment read Amendment proposed.

The 30th of the said amendments being again read,

Mr. *Hincks* moved, seconded by Mr. *Price*,

That the words "five pounds" be struck out of the said amendment, and the words "fifty shillings" substituted.

Division on motion

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down, as followeth:—

YEAS.

<i>Baldwin,</i>	<i>Foster,</i>	<i>Parke,</i>	<i>Thompson,</i>
<i>Boswell,</i>	<i>Harrison, Hon. S. B.</i>	<i>Powell,</i>	<i>Thorburn,</i>
<i>Cameron,</i>	<i>Hincks,</i>	<i>Price,</i>	<i>Viger, Hon. D. B.</i>
<i>Cartwright,</i>	<i>Holmes,</i>	<i>Roblin,</i>	<i>Watts,</i>
<i>Daly, Hon. D.</i>	<i>Johnston,</i>	<i>Simpson,</i>	<i>Williams,</i>
<i>Dunscumb,</i>	<i>Merritt,</i>	<i>Steele,</i>	<i>Woods.—20.</i>
<i>Durand,</i>	<i>Parent,</i>		

NOES.

<i>Armstrong,</i>	<i>Cook,</i>	<i>McLenn,</i>	<i>Ruel,</i>
<i>Berthelot,</i>	<i>Hale,</i>	<i>Moore,</i>	<i>Small,</i>
<i>Burnet,</i>	<i>MacNab, Sir A. N.</i>	<i>Morin,</i>	<i>Taschereau,</i>
<i>Chesley,</i>	<i>McDonald, (Glen.)</i>	<i>Morris,</i>	<i>Yule.—16.</i>

Amendment carried

So it was carried in the affirmative.

The residue of the amendments agreed to.

The residue of the said amendments being again severally read, and the question of concurrence being separately put thereon, they were agreed to, and—

Resolved—That this House doth concur with the Committee in the said amendments.

Bill to be engrossed and read 3rd time on Tuesday next

Ordered—That the said Bill, as amended, be engrossed and read for the third time on *Tuesday* next.

A Bill to amend the Militia Law of that part of the Province formerly constituting the Province of *Upper Canada*, was, according to Order, read a second time.

Militia Bill read 2nd time and referred to Committee on Monday next.

Ordered—That the said Bill be referred to a Committee of the whole House on *Monday* next.

The order of the day for the House in Committee on the Report of the Special Committee, to which was referred the Petition of *Felix Lus-sier*, Esquire, and others, proprietors and inhabitants of the County of *Ver-chères*, and other references, being read,

House goes into Committee of whole on petition of Felix Lus-sier and others.

The House accordingly resolved itself into the said Committee.

Mr. *Quesnel* took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Quesnel* reported, that the Committee had come to a Resolution, which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth :—

Resolution reported and agreed to.

Resolved—That it is expedient to amend the Act of the Legislature of *Lower Canada*, relative to the establishment of Mutual Fire Insurance Companies, and to extend the powers of the said Companies.

Ordered—That the Honorable Mr. *Viger* have leave to bring in a Bill to amend an Act of the Legislature of *Lower Canada*, relative to the establishment of Mutual Fire Insurance Companies.

Mutual Fire Insurance Bill brought in and read.

He accordingly presented the said Bill to the House, and the same was received and read the first time.

Ordered—That the Bill be read a second time on Monday next.

Second reading on Monday next.

The Order of the day for the House in Committee on the Bill to extend the benefit of the warehousing system established by a certain Act of the Imperial Parliament, passed in the Session held in the 3d and 4th years of His late Majesty's reign, to duties imposed by Provincial Acts, being read,

House goes into Committee on Warehousing Bill.

The House accordingly resolved itself into the said Committee.

Mr. *Barthe* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Barthe* reported, that the Committee had gone through the Bill, and had made an amendment thereto, which amendment was again read at the Clerk's table, and agreed to by the House.

Bill reported amended.

Ordered—That the said Bill, as amended, be engrossed.

Bill to be engrossed.

The Order of the day for the House in Committee on the First Report of the Special Committee on Currency and Banking, being read,

House goes into Committee on Report on Currency and Banking.

The House accordingly resolved itself into the said Committee.

Mr. *Morin* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Morin*, reported that the Committee had come to several Resolutions, which Resolutions were again read at the Clerk's Table, and agreed to by the House, and are as followeth :—

Several Resolutions reported.

Resolved—That it is expedient to repeal the separate Acts now in force in the several portions of this Province for regulating the rates at which certain Coins pass current therein, and to ascertain what Coins shall pass current, and the values at which they shall so pass, by one Law, common to the whole Province.

1st. Resolution.

Resolved—That it is expedient that the rates at which all Gold Coins, and also all Foreign Silver Coins, shall pass current, should be propor-

2nd. Resolution.

3rd. Resolution.

tionate to their intrinsic value, and that the standard should be the Silver Dollar, four of which shall be equal to one pound, currency.

Resolved—That *British* Silver Coin should pass current at rates proportionate to their nominal value.

Currency Bill brought in and read 1st. time.

Ordered—That Mr. *Holmes*, have leave to bring in a Bill to regulate the currency of this Province.

He accordingly presented the said Bill to the House, and the same was received and read the first time.

2nd Reading on Wednesday next.

Ordered—That the said Bill be read a second time on *Wednesday* next.

House goes into Committee on Road Act of 50. Geo. 3rd.

The Order of the day for the House in Committee to consider the expediency of amending the Road Act of the 50th GEO. 3, Cap. 1. of the late Province of *Upper Canada*, being read,

The House accordingly resolved itself into the said Committee, Mr. *Prince*, took the chair of the Committee, and after some time spent therein,

A Resolution reported.

Mr. Speaker resumed the chair, And Mr. *Prince*, reported that the Committee had come to a Resolution, which Resolution was again read at the Clerk's Table, and agreed to by the House, and is as followeth :—

Resolution.

Resolved—That it is expedient to alter and amend an Act passed in the 50th year of GEO. 3, Cap. 1, relating to the laying out, amending and keeping in repair, the public highways in the Province heretofore called *Upper Canada*, by altering the mode of serving and affixing notices of alterations in Roads or Highways.

Road Act amendment Bill brought in and read.

Ordered—That Mr. *Johnston*, have leave to bring in a Bill to alter and amend an Act of the Legislature of *Upper Canada*, intituled "*An Act to provide for the laying out, amending, and keeping in repair, the Public Highways and Roads in this Province, and to repeal the Laws now in force for that purpose.*"

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Second reading Friday next.

Ordered—That the said Bill be read a second time on *Friday* next.

Order of day for Committee of whole on Bill (N. A. C. Association of Ireland) postponed.

The Order of the day for the House in Committee on the Bill to authorize the *North American* Colonial Association of *Ireland*, to loan moneys, and to prosecute certain works in the County of *Beauharnois*, being read,

Ordered—That the said Order of the day be postponed until *Wednesday* next.

House goes into Committee on Ballot Bill.

The Order of the day for the House in Committee on the Bill to authorize the voting by Ballot, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Johnston*, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair.

House goes into Committee on Heir and devisee Acts.

The Order of the day for the House in Committee, to take into consideration the expediency of amending and consolidating the several Acts now in force in that part of this Province formerly constituting *Upper Canada*, in relation to the Heir and Devisee Commission being read,

The House accordingly resolved itself into the said Committee.

Mr. *Williams*, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair.

And Mr. *Williams*, reported that the Committee had come to a Resolution, which Resolution was again read at the Clerk's Table, and agreed to by the House, and is as followeth :—

Resolution reported agreed to.

Resolved—That it is expedient to amend and consolidate the following Acts of the Legislature of the part of this Province formerly constituting *Upper Canada*, viz: an Act passed in the 45th GEO. 3rd., and a certain other Act of the said Legislature passed in the 48th GEO. 3rd., and a certain other Act of the said Legislature passed in the 52nd. GEO. 3rd., and a certain other Act of the said Legislature passed in the 4th. GEO. 4th., and a certain other Act of the said Legislature, passed in the 10th. GEO. 4th., and also a certain Act of the Legislature of this Province passed in the present Session thereof, in relation to those persons who are entitled to claim Lands in the said part of this Province as Heirs or Devisees of the nominees of the Crown, in cases where no patent hath issued for such Lands, and to extend the provisions thereof, so as to afford relief to all persons claiming under the original nominees of the Crown, or under their Heirs or Devisees, through whatever number of degrees such claim may be derived.

Resolution for consolidating Acts relating to Heirs and devisees of the original nominees of the Crown.

Ordered—That Mr. *J. S. Macdonald*, have leave to bring in a Bill to amend and consolidate the several Acts of the Legislature of *Upper Canada*, passed for the relief of persons claiming Lands under the nominees of the Crown in cases where no Patent hath issued for such Lands.

Heir and devisee Bill brought in and read.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Ordered—That the said Bill be read a second time on *Wednesday* next.

Second reading on Wednesday next.

The Order of the day for the House in Committee on the District Court Law of *Upper Canada*, as regards the payment of Judges and Clerks, being read,

House goes into Committee on district Court Bill.

The House accordingly resolved itself into the said Committee.

The Honourable Mr. *Moffatt*, took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair,

And Mr. *Moffatt*, reported that the Committee had come to a Resolution, which Resolution was again read at the Clerk's Table, and agreed to by the House, and is as followeth :—

A Resolution reported

Resolved—That it is expedient to alter the provision of Law now in force for the payment of the Judges, Clerks, and Sheriffs, for services in the District Court in that part of the Province formerly *Upper Canada*.

Resolution.

The Order of the day for the House in Committee to take into consideration the expediency of granting a sum of money to purchase the private shares in the *Welland Canal*, being read,

House goes into Committee on purchasing shares of Welland Canal.

The House accordingly resolved itself into the said Committee.

Mr. *Hale*, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Hale*, reported that the Committee had come to a Resolution, which he was directed to submit to the House, whenever it shall be pleased to receive the same.

Resolution reported and to be received on Monday next.

Ordered—That the report be received on *Monday* next.

The Order of the day for the House in Committee on the Bill to settle, by a more easy and less expensive mode than now by Law exists, the damages which have been, or may hereafter be, sustained by the proprietors of Land overflowed by means of the erection of Mill Dams, being read,

House goes into Committee on Mill dam B

The House accordingly resolved itself into the said Committee.

Mr. *Raymond*, took the chair of the Committee, and after some time spent therein,

Mr Speaker resumed the chair,

Progress

And Mr. *Raymond*, reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Sit again Wednesday next.

Ordered—That the said Committee have leave to sit again on *Wednesday* next.

Then on motion of Mr. *Dunscob*, seconded by Mr. *Boutillier*, The House adjourned.

Lunæ, 2^o die Augusti ;

Anno 5^o Victoriae Reginae, 1841.

Petitions brought up.

The following Petitions were severally brought up and laid on the Table :—

Neil McDonald and others.

By Mr. *Baldwin*, the Petition of *Neil McDonald*, and others, School Trustees of the Township of *Georgina*.

Wm. Cox, Ezra Annis and others.

By Mr. *Small*, the Petition of *William Cox*, *Ezra Annis*, and others, of the Township of *Whitby*.

John E. Mills and others.

By Mr. *Holmes*, the Petition of *John E. Mills*, and others, in behalf of the *American Free School of Montreal*.

Warner Nelles and others.
John DeCew and others.
Daniel Hoover and others.

By Mr. *Thompson*, the Petition of *Warner Nelles*, and others, Inhabitants of the County of *Haldimand*, the Petition of *John DeCew*, and others, Inhabitants of the County of *Haldimand*, and the Petition of *Daniel Hoover*, and others, of the Township of *Walpole*, County of *Haldimand*.

Justices return of fines Bill, read third time and passed.

An engrossed Bill to require Justices of the Peace to make returns of convictions and fines was read for the third time.

Title.

Resolved—That the Bill do pass, and that the title be “ *An Act to require Justices of the Peace to make Returns of Convictions and Fines, and for other purposes therein mentioned.* ”

Bill sent to Council.

Ordered—That Mr. Attorney General *Draper*, do carry the said Bill to the Legislature Council, and desire their concurrence.

Petitions read

Pursuant to the Order of the day the following Petitions were read :

Of W. Millar and others.

Of *W. Millar*, and others, of the Townships of *Roxborough* and *Finch*, County of *Stormont*, praying for an aid to complete a Road.

Of Henry Weeks.

Of *Henry Weeks*, of *Yonge*, district of *Johnstown*, praying for a compensation for ejection from his lot owing to an error in the Government survey.

Of G. P. Ridout and others.

Of *George Percival Ridout*, and others, Members of the Board of Trade of *Toronto*, praying for a Bankrupt Law.

Of James McCrea and others.

Of *James McCrea*, and others, Inhabitants of the *East* settlement in the Seignior of *Argenteuil*, County of the *Lake of Two Mountains*, praying an aid in support of a School on Lot No. 17 in the said settlement.

Of Wm. Wheeler.

Of *William Wheeler*, of *Russelltown*, County of *Beauharnois*, stating that his farm was burnt by Refugee *Canadians*, and praying relief.

Of Peter Row.

Of *Peter Row*, of *Russelltown*, County of *Beauharnois*, stating that his farm was burnt by Refugee *Canadians*, and praying relief.

Of J. B. Ewart and others

Of *James B. Ewart*, and others of the Townships of *West Flamborough*, *Beverly* and others places, praying that the Memorial of the *Desjardins Canal Company*, offering to surrender to Government the pro-

perty of the said Canal until the advance made for its completion shall have been repaid to Government, be favorably received.

Of *William Burton*, and others, Freeholders and inhabitants of the county of *Bonaventure*, praying that at future elections, Polls be held at different places in the said county.

Of *William Burton*
and others.

Of *Jean Baptiste Milliette*, and others, inhabitants and proprietors of the parish of *Longue Pointe*, and other places, complaining of the Ordinance of the 3rd. VICTORIA, Cap. 31. providing for the improvement of Roads in the neighbourhood of *Montreal*.

Of *J. B. Milliette*, and
others.

Of *Bernard Smith*, and others of the 2d. range of the Township of *Durham*, praying that the Petition of divers inhabitants of the county of *Durham*, in *Lower Canada*, in relation to a certain disputed boundary line in that Township, referred to a Special Committee of the Legislative Assembly, be referred to Courts of Justice.

Of *Bernard Smith* and
others.

Of *John S. Alma*, late Returning Officer of the Town of *Niagara*, praying to be allowed to vindicate his character from charges preferred against him in Petition of *Robert Melville* and *John McBride*, of *Niagara*.

Of *John S. Alma*, late
Returning Officer
Town of *Niagara*.

Of *George Nichols*, of *Johnstown*, stating that he has been wounded in Her Majesty's service, and praying relief.

Of *Geo. Nichols*.

Of *John Carley*, of the township of *Dunwich*, county of *Middlesex*, praying for a pension for services rendered during the Rebellion.

Of *John Carley*.

On motion of Captain *Steele*, seconded by Mr. *Williams*,
Ordered—That the Petition of *Edward G. O'Brien*, and others, Justices of the Peace for the county of *Simcoe*, presented to the House on the 2nd day of *July* last, be referred to the Committee of the whole House to consider the expediency of authorizing an additional loan to complete the Court House and Gaol of the District of *Simcoe*.

Petition of *Edward G. O'Brien*, and others,
referred to Committee
of whole on *Simcoe*
Gaol and Court House.

On motion of Mr. *Dunscumb*, seconded by Mr. *Holmes*.
Ordered—That the Petitions of *Edward Ellice* and others, inhabitants of the county of *Beauharnois*, presented to the House on the 5th of *July* last, of *William Wheeler* of *Russelltown*, county of *Beauharnois*, and of *Peter Row*, of *Russelltown*, county of *Beauharnois*, be referred to the Special Committee to which was referred the Petition of *John Atkinson* of the Township of *Hemmingford*.

Petitions of *Edward Ellice*, and others, *W. Wheeler*, and of *Peter Row*, of *Beauharnois*, referred to Committee on petition of *John Atkinson*.

Mr. *Thorburn*, from the Special Committee on the contingent accounts and expenses of the present session, with power to report from time to time, presented to the House the second report of the said Committee, which was again read at the Clerk's table and is as followeth:—

Contingent Committee
present second report.

“Your Committee, upon examining the account of Mr. *W. J. Coates*, find that a sum is yet due to him, of two hundred and sixty five pounds, eighteen shillings, by the late House of Assembly, of *Upper Canada*, for printing,—principally upon contract work.

Second report of Com-
mittee on contingen-
cies.

Your Committee find, moreover, that he did not receive payment from time to time, on account, as had been usual, for some time past, with persons having contracts with the House, owing to the sum of money placed in the hands of the Clerk having proved insufficient to meet the various demands against the House; and therefore they are of opinion that Mr. *Coates*, should be allowed an additional sum of fifty pounds in consideration thereof, and have prepared a resolution to that effect: but while your Committee recommend this allowance, they beg that it may be distinctly understood that it must not be taken as a precedent by future contractors.

Your Committee have also examined the following accounts submitted to them by the Clerk of the late House of Assembly of *Upper Canada*, and the Sergeant-at-Arms, and find them to be true and correct, viz:

By the Clerk.

The account of <i>Richard Tinning</i>	£	3	2	6
<i>John McKenzie</i>		17	10	4½
<i>Thomas Carey & Co</i> ,.....		2	10	0
Which, with the sum due to Mr. Coates,.....		265	18	0

Will amount to.....£289 0 8½

And by the Sergeant-at-Arms.

The account of <i>Hugh McLennan</i> ,.....	£	57	15	0
<i>J. Esmonde</i>		15	18	8
<i>W. Bickerstaff</i>		6	14	8
<i>Silas Burnham</i>		12	12	0
<i>Geo. Denison</i>		3	13	8

Amounting to the sum of.....£ 96 14 0

which several sums your Committee recommend to be paid forthwith, and have prepared resolutions accordingly.

£59.16.8. to be paid to Alfred Patrick.

The Petition of *Alfred Patrick*, praying that his salary, as a copying Clerk, of the late House of Assembly of *Upper Canada*, for the past year, may be made equal to the average of former years, has been considered by your Committee, and they find that his pay for the eleven previous years was fully equal to Two hundred pounds per annum ; but that last year, although ready and willing to perform his usual duties, yet, in consequence of there being no session of Parliament, his allowance fell short of the usual amount, by £59 16s. 8d.— It is the opinion of your Committee that the difference should be made good to him, and they therefore submit a resolution for that purpose, for the consideration of your Honourable House.”

Ordered—That the said report be now referred to a committee of the whole House.

House goes into Committee on foregoing account.

The House accordingly resolved itself into the said Committee.

Mr. *Taché* took the chair of the Committee, and after some time spent therein.

Several resolutions reported.

Mr. Speaker resumed the chair,

And Mr. *Taché* reported that the Committee had come to several resolutions which he was directed to submit to the House, whenever it shall be pleased to receive the same.

Ordered—That the Report be received to-morrow.

Special Committee on Clerk's Offices present second report

Sir *Allan McNab* from the Special Committee appointed to enquire what assistance it will be necessary to afford to the Clerk, and what offices and Departments it will be expedient to establish for the effective and orderly conduct of this House, with power to report from time to time, presented to the House the second report of the said Committee, which was again read at the Clerk's table, and is as followeth :—

“ Your Committee have had under their consideration an application from *A. Lemoine*, assistant *French* Translator, praying that he be placed on a fixed salary, instead of his present allowance.

Assistant French translator 10s. per day for extra hours.

Your Committee recommend that he be allowed at the rate of one pound per diem of six hours, and at the rate of ten shillings per diem for extra hours.

Also an application from *R. Defries*, Post-office messenger, praying for a fixed allowance.

Post Office Messenger 10s. per day, no extra.

Your Committee recommend that he be allowed ten shillings per diem for the time he is employed, with no extra allowance

Also the Petition of *Aneas Bell* Chief Messenger of the late House of Assembly of *Upper Canada*, and *Julia Bell*, to be re-appointed to the House of Assembly.

Your Committee recommend that the House do allow them, jointly, a pension of £25, to continue to the survivor.

Joint pension of £25, to be continued to survivor.

And also the Petition of *Alfred Todd*, *Thaddeus Patrick*, and *Charles Fitzgibbon*, Clerks in the office of the Clerk of the late Assembly of *Upper Canada*, praying to be appointed to the same situations in the present establishment of *Canada*.

Alfred Todd, Thaddeus Patrick & Chs. FitzGibbon to be continued while there is employment in the office.

Your Committee recommend that they be employed at the same rate as other extra writers, and continued during the recess while they may be required by the Clerk."

Ordered—That the said Report be referred to a Committee of the whole House to-morrow.

Report referred to Committee of whole to-morrow.

Ordered—That Mr. Attorney General *Draper* have leave to bring in a Bill to facilitate the dispatch of business in the Court of Queen's Bench of *Upper Canada*.

Bill for dispatch of business in Queen's Bench, brought in and read 1st time.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Ordered—That the said Bill be read a second time to-morrow.

Second reading to-morrow.

Resolved—That the return to an Address of the 20th of *July* last, from the House of Assembly, to His Excellency, the Governor General, on the subject of the Loans made by the Government to the *Coburg, Port Hope* and *Oakville* Harbour Companies, laid before the House on *Friday* last, be referred to a Committee of five members to report thereon; with power to send for persons, papers, and records.

Return on Subject of Loans to Harbour Companies, referred to Select Committee.

Ordered—That Mr. *Hincks*, Mr. *Merritt*, Mr. *Neilson*, the Honourable Mr. *Killaly* and Mr. *Baldwin*, do compose the said Committee.

Committee formed.

Ordered—That Mr. Attorney General *Draper* have leave to bring in a Bill to alter and amend the laws now in force in that part of this Province formerly *Upper Canada*, regulating the District Courts.

District Court amendment Bill brought in and read first time.

He accordingly presented the said Bill to the House and the same was received and read the first time.

Ordered—That the said Bill be read a second time on *Thursday* next.

Second reading on Thursday next.

Mr. *Small* moved, seconded by Mr. *Parent*,

That the resolutions of this House of *Monday* last on the subject of the payment of wages to Members of the House of Assembly, be referred to a Committee of five members, to report thereon with all convenient speed, by Bill or otherwise; with power to send for persons, papers, and records.

Resolution on subject of wages to House of Assembly referred to Select Committee.

The question having been put upon the said motion, a division ensued, and it was carried in the affirmative.

Resolved accordingly.

Ordered—That Mr. *Small*, Sir *Allan McNab*, Mr. *Thorburn*, Mr. *Morin*, and Mr. *Neilson*, do compose the said Committee.

Committee formed.

On motion of Mr. *Prince*, seconded by Mr. *Thorburn*,

Resolved—That the Petition of divers electors of the county of *St. Maurice*, complaining of the undue return of *Joseph Edouard Turcotte*, Esquire, sitting member for the said county, be taken into consideration on *Thursday* the 12th instant, at 4 o'clock, P. M., in lieu of *Tuesday* the 10th day of the same month, as before appointed by this House

Time for considering contested Election for County of St. Maurice postponed till Thursday, the 12 inst.

Resolved—That Mr. Speaker do forthwith cause *E. Sicard de Carufel*, Esquire, of *Maskinongé*, late Returning Officer for the County of *St.*

Returning Officer for Saint Maurice to

appear at the bar on
12th instant.

Maurice, to be summoned to attend at the Bar of this House on *Thursday* the 12th day of *August*, instant, at 4 o'clock, P. M., to give evidence upon the trial of the controverted election for that County.

£20 paid by Robert J.
Turner to Clerk to be
returned.

On motion of Mr. *Price*, seconded by Mr. *Prince*,
Ordered—That the sum of twenty pounds, paid to the Clerk of this House by *Robert J. Turner*, of the Town of *Kingston*, be repaid to him, the Petition of the said *Robert J. Turner* having been presented previous to the adoption of the Rules of the House.

Bill for relief of pur-
chasers from Sheriffs
brought in and read
first time.

Ordered—That Mr. *Prince* have leave to bring in a Bill for the relief of purchasers at certain Sheriff's sales, made after such Sheriffs had been out of office.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Second reading Mon-
day.

Ordered—That the said Bill be read a second time, on *Monday* next.

House goes into Com-
mittee of whole on
Speaker's salary.

On motion of Mr. *Small*, seconded by Mr. *Raymond*.
Resolved—That this House do now resolve itself into a Committee of the whole House to take into consideration the propriety of providing for the payment of an annual salary to the Honorable the Speaker of this House.

The House accordingly resolved itself into the said Committee.

Mr. *McLean* took the chair of the Committee, and after some time spent therein,

Progress

Mr. Speaker resumed the chair,

And Mr. *McLean* reported, that the Committee had made some progress, and directed him to move for leave to sit again.

Sit again on Friday
next.

Ordered—That the said Committee have leave to sit again on *Friday* next.

Bill to abolish impri-
sonment for debt,
brought in and read
first time

Ordered—That Mr. *Prince* have leave to bring in a Bill to abolish imprisonment for debt in *Canada West*, except in certain cases.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Second reading Mon-
day next

Ordered—That the said Bill be read a second time on *Monday* next.

Mr. *Cameron*, from the Committee of the whole House, on the third Report of the Special Committee appointed to superintend the Printing of this House during the present Session, reported, according to Order, the resolutions of the said Committee, which resolutions were again read at the Clerk's table, and agreed to by the House, and are as followeth:—

Resolutions reported
from Printing Com-
mittee agreed to by
House.

Resolved—That the daily printing to be executed for this House, together with the printing of the Journals and Appendices of the present Session, be given to Messieurs *Desbarats & Cary*, who have tendered for the work, at the following prices:—

Daily printing in the *English* language, per 1000 ems, 2s. 6d.

Do. in *French* language, per 1000 ems, 2s. 9d.

Journals and Appendices in the *English & French* languages, per 1000 ems, 2s. 3d.

Resolved—That the offer of *Richard Brewer*, to bind the Journals and Appendices, at three shillings per volume of not more than 550 pages, and three pence per volume for every additional fifty pages, be accepted.

Mr. *Hale*, from the Committee of the whole House to take into consideration the expediency of granting a sum of money to purchase the private shares in the *Welland* Canal, reported, according to Order, the reso-

lution of the said Committee, which resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth :—

Resolved—That it is expedient that the stock of the *Welland Canal* Company should be held exclusively by the public, and that such part thereof as is now in the hands of private individuals or Companies should be purchased by this Province.

Resolution for purchasing private Stock of Welland Canal agreed to by House.

A Bill to exempt the inhabitants of the County of *Saguenay* from the operation of certain Ordinances therein mentioned, was, according to Order, read a second time.

Bill for relief of inhabitants of Saguenay read second time.

Ordered—That the said Bill be now referred to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

House goes into Committee on the Bill.

Mr. *Boutillier* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair.

The Order of the day for the second reading of the Bill to amend an Act of the Legislature of *Lower Canada*, relative to the establishment of Mutual Fire Insurance Companies, being read,

Order of the day for second reading fire Assurance Company Bill of Lower Canada, postponed.

Ordered—That the said Order of the day be postponed until *Wednesday* next.

The Order of the day for the House in Committee to consider the expediency of authorizing an additional loan to complete the Court House and Gaol of the District of *Simcoe*, being read,

House goes into Committee on loan to County of Simcoe for Gaol and Court House.

The House accordingly resolved itself into the said Committee.

Mr. *Taschereau* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resume the chair,

And Mr. *Taschereau*, reported that the Committee had come to a Resolution, which Resolution was again read at the Clerk's Table, and agreed to by the House, and is as followeth :—

Resolution reported and agreed to.

Resolved—That it is expedient to authorize a loan by the Magistrates of the District of *Simcoe*, in order to complete the District Gaol and Court House.

Resolution.

Ordered—That Captain *Steele*, have leave to bring in a Bill to increase the sum which may be raised under a certain Act, therein mentioned, for defraying the Cost of certain public Buildings in the County of *Simcoe*.

Simcoe Gaol and Court House loan Bill brought in and read.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time.

Ordered—That the said Bill be read a second time on *Friday* next.

Second reading Friday next.

The Order of the day for the House in Committee on the Bill to incorporate certain Persons under the Title of "*The Caledonia Bridge Company*," being read,

House goes into Committee on Caledonia Bridge Company Bill.

The House accordingly resolved itself into the said Committee.

Mr. *Cook*, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair,

And Mr. *Cook* reported that the Committee had gone through the Bill, and had made an amendment thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Bill reported amended.

Ordered—That the Report be received to-morrow.

The Order of the day for the House in Committee on the Bill to repeal a certain section of an Act of the Legislature of *Upper Canada*, relative to Macadamized Roads, being read,

House goes into Committee on Bill Macadamized Roads.

The House accordingly resolved itself into the said Committee.

Mr. *Borne* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair.

House goes into Committee on first Report of Special Committee on Clerk's Office.

The Order of the day for the House in Committee on the first Report of the Special Committee appointed to inquire what assistance it will be necessary to afford to the Clerk, and what Offices and Departments it will be expedient to establish for the effective and orderly conduct of the business of this House, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Hale* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Resolution reported.

And Mr. *Hale*, reported that the Committee had come to a Resolution, which Resolution was again read at the Clerk's Table, and agreed to by the House, and is as followeth :—

An Address to His Excellency in behalf of certain Officers and Servants of the late Houses of Assembly of Lower Canada and Upper Canada.

Resolved—That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to take the services of the following Officers and servants of the late House of Assembly in *Lower Canada* and *Upper Canada*, into His Excellency's favourable consideration, by granting some mark of Royal favor on them for their long and faithful services :—

Louis B. Pinguet, David Jardine, William Coates, Samuel Waller, Jasper Brewer, F. Rodrigue, and Louis Gagné.

Ordered—That the said Address be presented to His Excellency by such Members of this House as are of the Honourable the Executive Council of this Province.

House goes into Committee on Militia Law.

The Order of the day for the House in Committee on the Bill to amend the Militia Law of that part of the Province formerly constituting the Province of *Upper Canada*, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Turcotte* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Bill reported amended.

And Mr. *Turcotte* reported that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's Table and agreed to by the House.

Ordered—That the said Bill, as amended, be engrossed.

House goes into Committee on Dalhousie loan Bill.

The Order of the day, for the House in Committee on the Bill to authorize a further loan to complete the building of the Court House and Gaol for the intended District of *Dalhousie*, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Ruel* took the chair of the Committee.

Several members having retired,

Mr. Speaker resumed the chair,

And the names of the members present were taken down as followeth :—

Mr. Speaker,

Mr. *Armstrong, Mr. Berthelot, Mr. Borne, Mr. Boswell, Mr. Boutillier, Mr. Derbishire, Mr. Durand, Mr. Hale, Mr. Hincks, Mr. Morin, Mr. Mr. Parent, Mr. Powell, Mr. Raymond, Mr. Ruel, Mr. Steele, Mr. Taché, Mr. Thompson, and Mr. Williams.*

House adjourn for want of Quorum.

And at half past ten o'clock at night,

Mr. Speaker adjourned the House for want of a Quorum.

Martis, 3^o die Augusti,

Anno 5^o Victoriae Reginae, 1841.

The following Petitions were severally brought up and laid on the table:—

By Mr. <i>Child</i> —The Petition of the Trustees of the <i>Stanstead Seminary</i> .	Of Trustees of Stanstead Seminary.
By the Honorable Mr. <i>Moffatt</i> —The Petition of the Clergy and Members of the Church of <i>England</i> , resident in the Parish of <i>Montreal</i> .	Clergy and Church of England, Parish of Montreal.
By Mr. <i>Prince</i> —The Petition of <i>Lewis Davenport</i> , and others, of <i>Windsor</i> , and the Petition of <i>Bernard Fitzpatrick</i> , and others, confined in the Gaol of the <i>Midland District</i> .	Lewis Davenport and others, and B. Fitzpatrick, and others.
By Mr. <i>Boswell</i> —The Petition of <i>N. H. Baird</i> , Civil Engineer.	N. H. Baird.
By Mr. <i>Roblin</i> —The Petition of <i>Guy H. Youngs</i> , and others, Freeholders and Inhabitants of the Township of <i>Athol</i> .	Guy H. Young and others.

An engrossed Bill to extend the benefit of the warehousing system, established by a certain Act of the Imperial Parliament, passed in the Session held in the 3d and 4th years of His late Majesty's Reign, to duties imposed by Provincial Acts, was read for the third time.

Resolved—That the Bill do pass.

Ordered—That Mr. *Dunscomb* do carry the said Bill to the Legislative Council and desire their concurrence.

An engrossed Bill to amend the Militia Law of that part of this Province formerly constituting the Province of *Upper Canada*, was read for the third time.

Resolved—That the Bill do pass.

Ordered—That Mr. *Merritt* do carry the said Bill to the Legislative Council and desire their concurrence.

The Order of the day for the third reading of the engrossed Bill to repeal the Laws now in force in that part of this Province formerly called *Upper Canada*, for the recovery of small debts, and to make other provisions therefor, being read,

Mr. *Merritt* moved, seconded by Mr. *Thorburn*,

That the said Order of the day be discharged, and that it be—

Resolved—That it is expedient to repeal part of, and amend, an Act passed in the Parliament of the late Province of *Upper Canada*, intituled “*An Act to repeal part of, amend, and reduce to one Act of Parliament the several Laws now in force in this Province for the recovery of small debts, and to extend the jurisdiction of the Court of Requests within the same.*”

Resolved—That so much of the 2d Section of the said recited Act, as enacts, that “the said Commissioners for the time being, or any two of them, shall have power and authority, and are hereby authorized, empowered, and required, to hear and determine all matters of debt or contract when the demand doth not exceed the sum of £10—and that the Acts, Orders, Judgments and Decrees, of the said Commissioners, shall be final between the parties.” Also so much of the 20th Clause of the said Act, as provides, “that no sett off shall be allowed to be given in evidence before such Commissioners, which shall exceed the amount of £10” be and the same are hereby repealed.

Resolved—That the said Commissioners for the time being, constituted by virtue of the said recited Act, or any two of them, shall have power and authority, and are hereby authorized, empowered, and required, to

hear and determine all matters of debt where the liquidated demand doth not exceed the sum of £12 10s., and the debt or contract on the part of either Plaintiff or Defendant, does not exceed the sum of twenty five pounds.

Resolutions proposed for amending the Court of request act of U C.

Resolved—That any Defendant, by consent of the Plaintiff, may acknowledge and sign a confession of Judgment to the amount of twenty five pounds, in any of said Courts, providing he shall, if requested, make oath before said Commissioners that the said debt was just and true, and not given for the purpose of priority over any other demand against him.

Resolved—That on demand of either party for the recovery of, or defence of, any demand over £2 10s., on notice to the Clerk of the Court three days before the sitting of said Court, it shall be the duty of said Clerk to summon a Jury of six Freeholders to determine the same, which said Jury may be sworn by the said Court, and shall be entitled to the sum of _____ for each verdict given by them, and the decision of said Jury shall be final.

Resolved—That any Person who shall think himself aggrieved by any decision or judgment, under the provisions of the said recited Act, may appeal to the next Court of Quarter Sessions for the District wherein the case shall have been tried : Provided that such Person shall give to the other party a notice, in writing, of such appeal, and of the cause and matter thereof, within six days after the judgment was given, and enter into recognizances, with two sufficient sureties, before said Commissioners, for the payment of all costs which may be by such Court awarded ; and that the Court at such Sessions shall hear and determine the matter of such appeal, provided that such decision has not been made by a jury called on the part of such Plaintiff or Defendant as aforesaid.

Resolved—That every person who, under and by virtue of this Act, may be summoned to attend any of the said Courts, either as a Juror or Witness, and who shall refuse or neglect, without sufficient cause, to attend for the purposes for which he or she may be so summoned, shall forfeit and pay not exceeding _____ as the said Commissioners shall order and direct, and which said fine shall be levied and collected by the same process as any debt recovered in the said Court, and shall, when collected, be, by the said Clerk, paid over to the Treasurer of the District in which such Court shall be situated, to be applied to and for the general purposes of the said District.

Motion for discharging the Order lost, and Bill read third time.

The question having been put upon the said motion, a division ensued, and it passed in the negative.

The said Bill was then, according to order, read for the third time.

Mr. Attorney General *Draper* moved, seconded by the Honorable Mr. *Killaly*, that the Bill do pass.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down, as followeth :

YEAS.

<i>Baldwin,</i>	<i>Draper, Hon. W. H.</i>	<i>Moffatt, Hon. G.</i>	<i>Snall,</i>
<i>Berthelot,</i>	<i>Dunn, Hon. J. H.</i>	<i>Moore,</i>	<i>Smith, (Fron.)</i>
<i>Borne,</i>	<i>Foster,</i>	<i>Neilson,</i>	<i>Sherwood,</i>
<i>Boswell,</i>	<i>Hale,</i>	<i>Parent,</i>	<i>Steele,</i>
<i>Burnet,</i>	<i>Harrison, Hon. S. B.</i>	<i>Parke,</i>	<i>Taché,</i>
<i>Cameron,</i>	<i>Hincks,</i>	<i>Powell,</i>	<i>Turcolte,</i>
<i>Child,</i>	<i>Holmes,</i>	<i>Price,</i>	<i>Viger, Hon. D. B.</i>
<i>Christie,</i>	<i>Johnston,</i>	<i>Quesnel,</i>	<i>Watts,</i>
<i>Daly, Hon. D.</i>	<i>Killaly, Hon. H. H.</i>	<i>Raymond,</i>	<i>Williams,</i>
<i>Derbshire,</i>	<i>McNab, Sir A. N.</i>	<i>Robertson,</i>	<i>Woods.—40.</i>

NOES.

Armstrong,
Boutillier,
Cook,

Durand,
McLean,
Merritt,

Moyn,
Noel,
Roblin,

Thompson,
Thorburn.—11.

So it was carried in the affirmative, and—
Resolved—Accordingly.

Bill passed.

Ordered—That Mr. Attorney General *Draper*, do carry the said Bill to the Legislative Council, and desire their concurrence.

On motion of Mr. *Watts*, seconded by Mr. *Thorburn*,

Ordered—That the Petition of *Bernard Smith*, and others, Inhabitants of the 2nd Range of the Township of *Durham*, presented to the House on the 30th of *July* last, be referred to the Special Committee to which was referred the Petition of divers proprietors residing in the 3rd Range of the Township of *Durham*, County of *Drummond*.

Petition of Bernard Smith and others referred.

Ordered—That Mr. *Prince*, be added to the said Committee.

Mr. Prince added to Committee.

Mr. *Small*, from the Special Committee to which was referred the Petition of *A. M. Farewell*, *Abram Butterfield*, and others, of the Townships of *Whitby* and *Darlington*, and other references, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth :—

Special Committee on Petition of Farewell, Butterfield and others presents report

“ Your Committee have taken the prayer of each Petition into their consideration, and from the circumstances connected therewith they refrain, for the present, from recommending them to Your Honorable House, but herewith beg to submit an Address to His Excellency, the Governor General, praying that he will be pleased to cause a survey to be made of the proposed improvements, by a competent Engineer, with as little delay as possible, stating the probable expense of each, and the one best calculated to meet the present wants of that part of the Country, and whether it would be beneficial to the public that either, or both, of said Harbors should be undertaken by the Government.

Report on Petition of Farewell, Butterfield and others.

To His Excellency the Right Honorable *Charles Baron Sydenham*, of *Sydenham* in the County of *Kent*, and of *Toronto in Canada*.
&c., &c., &c.

MAY IT PLEASE YOUR EXCELLENCY :

We, Her Majesty's dutiful and loyal subjects, the Commons of *Canada* in Provincial Parliament Assembled, respectfully beg leave to represent to Your Excellency that two Petitions have been presented to this House, during the present Session, from certain Inhabitants of the Township of *Whitby*, praying to be incorporated into separate Joint Stock Companies, for the purpose of constructing Harbors at the mouths of *Annis' Creek* and *Black's Creek*, in the said Township.

Address to His Excellency for Survey Annis's Creek and Black's Creek in Township of Whitby.

That without further information this House do not deem it expedient that both Companies should be incorporated, the present trade of that part of the Country not appearing to require it.

We therefore pray that Your Excellency will be pleased to cause a survey and report forthwith to be made, at the expense of the parties, by a competent Engineer, of each intended Harbor, stating the one best calculated for such a purpose as also the probable expense attendant upon the said improvement, and whether it would be beneficial to the Public that either, or both, of the said Harbors, should be undertaken by the Government.”

On motion of Mr. *Small*, seconded by Mr. *Price*,

Resolved—That this House doth concur with the Committee in the said address to His Excellency, the Governor General.

House concurs in Address.

Ordered—That the said address be presented to His Excellency, by such members of this House as are of the Honourable the Executive Council of this Province.

Bill to incorporate Montreal Board of Trade brought in and read first time.

The Honourable Mr. *Moffatt*, from the Select Committee to which was referred the Petition of *Robert Armour*, and others, merchants of the city of *Montreal*, praying for an Act to incorporate the Board of Trade of the said City, with power to report by Bill or otherwise, presented to the House a Bill to incorporate the *Montreal* Board of Trade, which was received and read for the first time.

Second reading Friday next.

Ordered—That the said Bill be read a second time on *Friday* next.

Final Report of Select Committee on Hastings contested election.

Mr. *Merritt*, Chairman of the Select Committee appointed to try and determine the merits of the Petition of *T. Parker*, and others, of the county of *Hastings*, in the district of *Victoria*, complaining of the undue election and return of *Robert Baldwin*, Esquire, as a member to represent the county of *Hastings* in the present Parliament, presented to the House the final report of the said Committee, which was again read at the Clerk's table as followeth:—

The Committee of Your Honourable House appointed to try the merits of the petition of *Thomas Parker*, and others, against the Return of *Robert Baldwin*, Esquire, sitting member for the county of *Hastings*, to represent the said county in this present Parliament, have the honour to report the following Resolutions:—

Resolved—That the exception taken in the first allegation of the Petition is not sufficient to invalidate the election of the sitting member.

Resolved—That no evidence having been offered upon any of the other allegations contained in the Petition, and neither the Petitioners, their Counsel, or Agents, appearing to support the same, this Committee is of opinion that the said Petition is frivolous and vexatious.

Resolved—That the opposition of the sitting Member to the Petition is not frivolous or vexatious.

W. H. MERRITT,
Chairman.

Committee Room, Legislative }
Assembly, August 3d 1841. }

Select Com. on Petition of P. A. De Gaspé, presents report.

Mr. *Christie* from the Special Committee to which was referred the Petition of *Philippe Aubert De Gaspé*, late Sheriff of the District of *Quebec*, with power to report by Bill or otherwise, presented to the House the report of the said Committee, which was again read at the Clerk's table, as followeth:—

Report.

“According to the papers laid before your Committee on the part of the Petitioner, it appears that he has been incarcerated since the month of *May*, 1838, pursuant to a judgment of the 20th. of *June*, 1834, in favor of the Crown against him, for £1169 14 currency.

It appears to your Committee that Mr. *De Gaspé*, in *May*, 1836, made and delivered into the Court of King's Bench of *Quebec*, a statement of all the property, real and personal, of which he was then possessed, or expected thereafter to become possessed, in order that by delivering up the same, according to the provisions of the Provincial statute of *Lower Canada*, 6 WILL: 4, Chap. 4, he might be entitled to the limits of the prison; as accorded by the said Act to other insolvent debtors, and which a judgment of the Court of King's Bench at *Quebec* declared him entitled to.

This judgment was however reversed by the Court of appeals, in the month of *November*, 1836, it being held by this Court that the benefit of the statute above mentioned did not extend to debtors of the Crown.

Your Committee, without questioning the correctness of the decision of the Court of appeals, views, Mr. *De Gaspé's* case as one of hardship. The surrender of all his property, present and in expectancy, would have entitled him, were he indebted but to an individual, to exemption from incarceration.—The prerogative of the Crown in the present case is undoubted,—Yet it appears to your Committee that the rigid enforcement of the law, now prolonged beyond three years, in the close confinement of Mr. *De Gaspé*, without benefit to the public creditor, or any reasonable prospect of it by such a course, ought to have a term, particularly as it appears Mr. *De Gaspé's* health is materially impaired by his long confinement. Your Committee have had before them ample proof, in a letter from Mr. Civil Secretary *Goklie*, bearing date at *Montreal*, 15th *August*, 1839, of the favorable disposition of the Government to relieve Mr. *De Gaspé*, on his giving security for the payment of £1170, without interest, which it seems Mr. *De Gaspé* could not find; and they presume to express a hope that such a disposition still prevails—They are convinced that it is foreign to the views of the executive to give to the Law of the Land an oppressive and cruel effect, or the appearance of it, and that it will concur in any measure of relief that may pass the two other branches.

In this belief, and considering the long period during which Mr. *De Gaspé* has been imprisoned, his advanced age, and that his health is impaired by his long confinement, and that he has “given into Court, upon oath, a faithful statement in writing of all the property and estate he possessed in the world,” with a view to the discharge of his debts, they respectfully recommend that an Act be passed for his relief, and accordingly report a Bill for the purpose.”

Mr. *Christie* then presented to the House a Bill for the Relief of *Philippe Aubert De Gaspé*, which was received and read for the first time.

De Gaspé's relief bill brought in and read 1st time.

Ordered—That the said Bill be read a second time on *Thursday* next.

Second reading on Thursday next.

Mr. *Watts*, from the Special Committee to which was referred the Petition of *James Millar*, and others, inhabitants of the County of *Drummond*, and other references, with power to report by Bill or otherwise, presented to the House a Bill to amend certain Acts of the Legislature of the late Province of Lower Canada, therein mentioned, relating to the establishment of Mutual Insurance Companies, as far as regards the Counties of *Sherbrooke*, *Stanstead*, *Drummond* and *Shefford*, which was received and read for the first time.

Committee on Petition of James Millar and others, report Bill, for amending Mutual Insurance Act of Lower Canada.

Ordered—That the said Bill be read a second time to-morrow.

Second reading to-morrow.

The Honorable *S. B. Harrison*, one of Her Majesty's Executive Council, delivered to Mr. Speaker a Message from His Excellency, the Governor General, signed by His Excellency.

Message from His Exclty. the Governor General.

And the said Message was read by Mr. Speaker, all the members of the House being uncovered, and is as followeth:—

SYDENHAM,

With reference to their Address of the 1st ultimo, the Governor General transmits herewith to the House of Assembly a copy of the Report made to him by the Gentlemen who were deputed to investigate certain proceedings at *Toronto* connected with the late election for that city.

Message with report on Toronto riots.

For the Report mentioned in the foregoing Message, see Appendix (S.)

Physic and Surgery
Bill brought in and
read first time.

Ordered—That Mr. *Cameron* have leave to bring in a Bill to enable persons authorized to practice Physic or Surgery in *Upper* or *Lower Canada*, to practise in the Province of *Canada*.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Second reading Wed-
nesday the 11th inst.

Ordered—That the said Bill be read a second time on *Wednesday*, the 11th instant.

Agricultural Society
Bill brought in and
read first time.

Ordered—That Mr. *Cameron* have leave to bring in a Bill to continue an Act relative to agricultural societies, and for other purposes therein mentioned.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Second reading Mon-
day next.

Ordered—That the said Bill be read a second time on *Monday* next.

Order for 2nd reading
Haldimand Glass
Works Bill, revived,
and Bill to be read a
second time on Mon-
day next.

On motion of Mr. *Merritt*, seconded by Mr. *Thorburn*,

Ordered—That the Order of the day for the second reading of the Bill to establish a Company, to be called “*The Haldimand Glass Works Company*,” lost by the adjournment of the House of *Friday*, the 16th of *July* last, be revived, and that the said Bill be read a second time on *Monday* next.

Order of day for Com.
of whole, on Law of
possession revived and
ordered for *Friday*
next.

On motion of Mr. *Roblin*, seconded by Mr. *Boswell*,

Ordered—That the Order of the day for the House in Committee to take into consideration the expediency of altering the Law of Possession, so far as relates to erroneous surveys, lost by the adjournment of the House of *Wednesday* last, be revived, and that this House will, on *Friday* next, resolve itself into the said Committee.

Order of day for se-
cond reading Sur-
veyor's Bill revived,
and ordered for *Fri-*
day next.

On motion of Mr. *Roblin*, seconded by Mr. *Boswell*,

Ordered—That the Order of the day for the second reading of the Bill to grant authority to licensed Surveyors to administer an oath in certain cases, and to protect them while in the discharge of their duty in surveying lands, lost by the adjournment of the House of *Wednesday* last, be revived, and that the said Bill be read a second time on *Friday* next.

Committee of whole,
to-morrow, on amend-
ing certain ordinances
of Special Council.

On motion of Mr. *Armstrong*, seconded by Mr. *Hincks*.

Resolved—That this House will, on to-morrow, resolve itself into a Committee of the whole House, to consider the expediency of altering and amending a certain Ordinance passed by the Special Council of the late Province of *Lower Canada*, intituled “*An Ordinance to provide for the improvement, during the winter season, of the Queen's Highways in this Province, and for other purposes*;” also “*An Ordinance to amend the Laws relative to winter roads*.”

Speaker to issue his
warrant for attendance
of certain persons to
give evidence on the
trial of the St. Mau-
rice contested election.

On motion of Mr. *Morin*, seconded by Mr. *Noel*,

Resolved—That Mr. Speaker do issue his warrant, according to law, to require the attendance of *Charles Z. Malhiot*, of *Pointe du Lac*, Esq.; *Modeste Richer*, of *Yamachiche*, Merchant; *Laurent D. Craig*, of *Three Rivers*, Notary; *Jean Baptiste Lajoie*, of *Three Rivers*, Merchant; *Dennis G. Labarre*, of *Three Rivers*, Notary; and *Ezekiel M. Hart*, of *Three Rivers*, Merchant; before this House on *Thursday*, the 12th day of *August*, instant, at 4 o'clock in the afternoon, to give evidence in the matter of the contested election for the County of *St. Maurice*.

Resolutions founded
on second Report of
Com. on contingen-
cies reported from
Committee of whole.

Mr. *Taché*, from the Committee of the whole House on the second Report of the Special Committee on the contingent accounts and expenses of the present Session, reported, according to Order, the Resolutions

of the said Committee, which Resolutions were again read at the Clerk's table, and agreed to by the House, and are as followeth:—

Resolved—That the Speaker of this House do place in the hands of the Clerk of the late House of Assembly of *Upper Canada* the sum of two hundred and eighty nine pounds and eight pence half-penny, to enable him to pay up certain contingent expenses of his office remaining due, as per Report on Contingencies.

Clerk of House £289
0s. 8d.

Resolved—That the Speaker do place in the hands of the Sergeant-at-Arms the sum of ninety six pounds, fourteen shillings, to enable him to pay up certain contingent expenses of the late House of Assembly of *Upper Canada*, as per report on contingencies.

Sergeant-at-Arms,
£96 14s. 0d.

Resolved—That the sum of fifty pounds, currency, be allowed to Mr. *W. J. Coates*, in addition to the amount due him for printing for the late House of Assembly of *Upper Canada*, to compensate him for the loss sustained in not having received payments, from time to time, on account, as had been usual for some time past with contractors.

W. J. Coates, £50.

Resolved—That the sum of fifty nine pounds, sixteen shillings, and eight pence, currency, be allowed to Mr. *Alfred Patrick*, to make his salary as a Copying Clerk in the Office of the Clerk of the late House of Assembly of *Upper Canada*, for the past year, equal to £200.

Mr. A. Patrick, £59
16s 8d.

Mr. *Cook*, from the Committee of the whole House on the Bill to incorporate certain persons under the title of "The *Caledonia* Bridge Company" reported, according to order, the amendment made by the Committee to the said Bill, which amendment was again read at the Clerk's table, and agreed to by the House.

Amendment to *Caledonia* Bridge Bill, reported, and agreed to.

Ordered—That the said Bill as amended be engrossed.

Bill to be engrossed.

The Order of the day for the House in Committee on the Bill to authorize a further loan to complete the building of the Court House and Gaol for the intended District of *Dalhousie*, being read,

House goes into Com. on *Dalhousie* Gaol and Court House Bill.

The House accordingly resolved itself into the said Committee.

Mr. *Burnet*, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Burnet*, reported that the Committee had gone through the Bill and had made several amendments thereto, which he was directed to report to the House whenever it shall be pleased to receive the same.

Bill reported amended.

Ordered—That the Report be received to-morrow.

A Bill to repeal certain Acts therein mentioned, and to make provision for the establishment and maintenance of Common Schools throughout this Province, was, according to order, read a second time.

Common School Bill read a second time.

Ordered—That the said Bill be referred to a Committee of the whole House, on *Tuesday* next.

And referred to Com. on *Tuesday* next.

The Order of the day for the House in Committee on the Bill the better to provide for the freedom of Elections throughout this Province, and for other purposes therein mentioned, being read,

House goes into Com. on freedom of election Bill.

The House accordingly resolved itself into the said Committee.

Mr. *Barthe*, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Barthe*, reported that the Committee had made some progress, and directed him to move for leave to sit again.

Progress.

Ordered—That the said Committee have leave to sit again on *Friday* next.

Sit again on *Friday*.

On motion of Mr. *Baldwin*, seconded by the Honourable Mr. *Harrison*,
 Foregoing order of day discharged and bill referred to Select Com.
Ordered—That the said Order of the day be discharged, and that the said Bill be referred to a select Committee, composed of the Honourable Mr. *Harrison*, the Honourable Mr. *Viger*, Mr. *Neilson*, Mr. Attorney General *Draper*, Mr. *Merritt*, Mr. *Quesnel*, Mr. *Durand*, Mr. *Morin*, Mr. *Price*, and Mr. *Hincks*, to report thereon with all convenient speed, and that the 77th rule of this House be dispensed with in so far as relates to the appointment of this Committee.

Order of day for second reading Enregistration Bill discharged and Bill referred to a Select Committee.
 The Order of the day for the second reading of the Bill to provide for the enregistration of Persons entitled to vote at Elections of Members of the Legislative Assembly of this Province, and to make better provision for the holding of such Elections being read,

On motion of the Honourable Mr. *Harrison*, seconded by Mr. Solicitor General *Day*,
Ordered—That the said Order of the day be discharged, and that the said Bill be referred to the select Committee to which is referred the Bill the better to provide for the freedom of Elections throughout this Province, and for other purposes therein mentioned.

Bill for disposal of Public Lands read second time and ordered to be referred to a Committee of whole on Thursday next.
 A Bill for the disposal of Public Lands was, according to Order, read a second time.
Ordered—That the said Bill be referred to a Committee of the whole House on *Thursday* next.

Engrossed Bill from Legislative Council (Court of Chancery amended) read second time, and to be referred to Committee of whole on Thursday next.
 An engrossed Bill from the Legislative Council, intituled “*An Act to explain and amend an Act passed in the Provincial Parliament of Upper Canada in the seventh year of the reign of King WILLIAM the Fourth*, intituled ‘*An Act to establish a Court of Chancery in this Province*,’ and “*to render more effectual the said Court*,” was, according to Order, read a second time.

Ordered—That the said Bill be referred to a Committee of the whole House on *Thursday* next.

Queen's Bench Bill read second time and ordered to be engrossed.
 A Bill to facilitate the dispatch of business in the Court of Queen's Bench of *Upper Canada*, was, according to Order, read a second time.
Ordered—That the said Bill be engrossed.

House goes into Committee on Municipal Corporation Bill.
 The Order of the day for the House in Committee on the Bill to provide for the better internal Government of that part of this Province heretofore *Upper Canada*, by the establishment of Local or Municipal authorities therein, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Cook* took the chair of the Committee, and after some time spent therein,

Mr. *Speaker* resumed the chair,

Progress.

And Mr. *Cook* reported, that the Committee had made some progress, and had directed him to move for leave to sit again.

Sit again on Thursday next.

Ordered—That the said Committee have leave to sit again on *Thursday* next.

Then, on motion of Mr. *Parent*, seconded by Mr. Attorney General *Draper*,
 The House adjourned.

Veneris, 4^o die Augusti ;

Anno 5^o Victoriae Reginae, 1841.

The following Petitions were severally brought up and laid on the Table :—

By Mr. *Cartwright*—The Petition of the Commissioners of the *Midland* District Turnpike Trust.

By Mr. *Baldwin*—The Petition of *Margaret Brislane*, of the Township of *Emily*, in the District of *Newcastle*.

By Mr. *Thorburn*—The Petition of the Directors of the *Erie* and *Ontario* Railroad Company.

By Mr. *Cameron*—The Petition of the Reverend *R. V. Hall*, and others, inhabitants of the Township of *Stanstead*, County of *Stanstead*.

An engrossed Bill to facilitate the despatch of business in the Court of Queen's Bench of *Upper Canada*, was read for the third time.

Resolved—That the Bill do pass.

Ordered—That Mr. Attorney General *Draper* do carry the said Bill to the Legislative Council and desire their concurrence.

Pursuant to the Order of the day the following Petitions were read :

Of *Neil McDonald*, and others, School Trustees of the Township of *Georgina*, praying for an aid towards the support of the said School, and to build a House for the Teacher.

Of *William Cox*, *Ezra Annis*, and others, of the Township of *Whitby*, praying for the establishment of Schools, and that the Bible be used as a class book in the said Schools.

Of *John E. Mills*, and others, in behalf of the *American* Free School of *Montreal*, praying for a grant of £100 towards the support of the said School.

Of *Warner Nelles*, and others, Inhabitants of the County of *Haldimand*, praying that the County of *Haldimand* and the adjacent Township of *Caistor*, be formed into a new District.

Of *John De Cew*, and others, Inhabitants of the County of *Haldimand*, praying that the District of *Niagara* be divided, and that the County Town be at *Cayuga*.

Of *Daniel Hoover*, and others, of the Township of *Walpole*, County of *Haldimand*, praying that the County of *Haldimand* be erected into a District, and that the Township of *Walpole* be attached to the said District.

Resolved—That the Petition of *Archibald McDonell*, and others, of the Townships of *Gloucester*, *Osgoode*, and *Russell*, presented to the House on the 23rd of *July* last, be referred to a Committee of seven Members, to examine the contents thereof, and report thereon with all convenient speed, by Bill or otherwise ; with power to send for Persons, papers, and records.

Ordered—That Mr. *Johnston*, Mr. *Williams*, Mr. *Price*, Mr. *Roblin*, Mr. *Morin*, Mr. *Merritt*, and Mr. *Neilson*, do compose the said Committee.

Mr. *Cameron*, from the special Committee to which was referred the Bill to regulate the inspection and measurement of Timber, Masts, Spars, Deals, Staves, and other articles of a like nature, at the Ports of *Quebec* and *Montreal*, and for other purposes relative to the same, reported that

Petitions brought up.

Commissioners of Mid. Dist. Turnpike Trust.

Margaret Brislane.

Erie & Ontario Rail Road Company.

Rev. R. V. Hall, and others.

Queen's Bench bill passed.

Petitions read.

Neil M'Donald, and others.

Wm Cox, Ezra Annis, and others.

John E. Mills, and others.

Warner Nelles, and others.

John De Cew, and others.

Daniel Hoover, and others.

Petition of Archibald M'Donell, and others, referred.

Committee formed.

Special Committee reports measurement of timber bill amended.

the Committee had gone through the Bill and had made several amendments thereto, which amendments were again read at the Clerk's table.

Bill and report to be referred to Com. of whole on next Monday.

Ordered—That the said Bill and Report be referred to a Committee of the whole House on *Monday* next.

Period of reporting by Commissioners on Niagara contested election extended to 17th instant.

Mr. *Thorburn* moved, seconded by Mr. *Cartwright*,

That the period for the Commissioners now taking evidence on the controverted Election for the Town of *Niagara*, on the Petition of *Robert Melville*, and *John McBride*, complaining of the undue Election and return of *Edward Clarke Campbell*, Esquire, the sitting Member for the Town of *Niagara*, to report to this House, be enlarged until the 17th instant.

The question having been put upon the said motion, a division ensued, and it was carried in the affirmative.

Ordered—Accordingly.

Special Com. on Petition of James Carroll, and others, present report.

Mr. *Hincks*, from the special Committee to which was referred the Petition of *James Carroll*, and others, Inhabitants of the District of *Brock*, with power to report by Bill or otherwise, presented to the House the report of the said Committee, which was again read at the Clerk's table, as followeth :—

Report on petition of James Carroll, and others

“ Your Committee, upon examination, find the circumstances of the case to be as follows :—upon the erection of the County of *Oxford* into a separate District, under the name of the District of *Brock*, *Woodstock* was selected as the District Town, the limits being at the same time so defined as to include only the reserve at the Upper Forks of the River *Thames*, upon which the said Town was built :—the growing importance of the place, however, has induced many Persons to settle upon the land immediately contiguous to the said reserve, whose houses and property the present circumscribed limits of the town will not include—

Your Committee, therefore, deem it expedient, under the circumstances, to comply with the prayer of the Petitioners, and have accordingly prepared a Bill to extend the limits of the Town of *Woodstock*, so as to include Lots 19, 20, and 21, in the Township of *East Oxford*, and Nos. 19 and 20, in the Township of *Blandford*,—a draft of which Bill they beg to submit for the adoption of Your Honourable House.”

Woodstock limits bill brought in and read 1st time.

Mr. *Hincks*, then presented to the House a Bill to extend and define the limits of the Town of *Woodstock*, in the District of *Brock*, which was received and read for the first time.

Second reading on Wednesday.

Ordered—That the said Bill be read a second time on *Wednesday* next.

Com. on petition of divers proprietors in 3rd range in Durham, present report

Mr. *Watts* from the special Committee to which was referred the Petition of divers proprietors residing in the 3rd *Range* of the Township of *Durham*, County of *Drummond*, and other references, presented to the House the report of the said Committee, which was again read at the Clerk's table, as followeth :—

Report.

“ Your Committee, having read the Petition and examined the accompanying plans and statements of Petitioners, can only arrive at the conclusion that the Petitioners have no other recourse than to the Law of the land for relief, unless the Executive Government can afford them that relief which the peculiar circumstances of their case appear to call for.”

Caledonia bridge bill passed.

An engrossed Bill to incorporate certain Persons under the title of “ The *Caledonia* Bridge Company ” was read for the third time.

Resolved—That the Bill do pass.

Ordered—That Mr. *Thompson*, do carry the said Bill to the Legislative Council, and desire their concurrence.

Ordered—That Mr. Attorney General *Draper*, have leave to bring in a Bill to authorize the stock held by private Persons in the *Welland Canal* to be purchased on behalf of the Province.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Ordered—That the said Bill be read a second time to-morrow.

On motion of Mr. *Morin*, seconded by Mr. *Neilson*,

Resolved—That an humble address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House, copies of all Proclamations or instruments issued to erect Municipal Districts in the late Province of *Lower Canada*, under the Ordinance of the 4th VICTORIA chapter 4., and to fix the number of Councillors for every Parish or Township in each such District;—and also for determining the places of meeting of each District Council;—and also a list of the Wardens and other Officers appointed in virtue of the said Ordinance; and copy of such instructions as may have been given to the above Officers concerning their Office.

Ordered—That the said address be presented to His Excellency by such Members of this House as are of the Honourable the Executive Council of this Province.

On motion of Mr. *Hale*, seconded by Mr. *Thorburn*,

Resolved—That the select Committee appointed to try the merits of the Petition of *Robert Melville* and *John McBride*, of the Town of *Niagara*, complaining of the undue Election and return of *Edward Clarke Campbell*, Esquire, sitting Member for the said Town of *Niagara*, do stand further adjourned until the 17th instant, at Ten o'clock A. M., in as much as the House has prolonged the time for the return of the report of the Commissioners appointed to take evidence on the subject of the said controverted Election, until the said 17th instant.

Ordered—That Mr. *Williams*, have leave to bring in a Bill for more effectually preventing wicked and malicious Persons from injuring or destroying real and personal property.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Ordered—That the said Bill be read a second time on *Tuesday* next.

Mr. *Burnet*, from the Committee of the whole House on the Bill to authorize a further loan to complete the building of the Court House and Gaol for the intended District of *Dalhousie*, reported, according to Order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered—That the said Bill, as amended, be engrossed.

A Bill to amend a certain Ordinance of the Legislature of *Lower Canada*, for making a Rail Road from *Sherbrooke* to the river *Richelieu*, was according to Order, read a second time.

Ordered—That the said Bill be engrossed.

A Bill to regulate the currency of this Province was, according to Order, read a second time.

Ordered—That the said Bill be referred to a Committee of the whole House on *Wednesday* next.

The Order of the day for the second reading of the Bill to amend and consolidate the several Acts of the Legislature of *Upper Canada*, passed for the relief of persons claiming Lands under the Nominees of the Crown, in cases where no Patent has issued for such Lands, being read,

Ordered—That the said Order of the day be postponed until *Monday* next.

Welland Canal private Stock Bill brought in and read first time.

Second reading to-morrow.

An Address to be sent to His Excellency the Governor General, for copies of proclamations erecting Municipal districts in Lower Canada, &c.

Select Committee to try Niagara contested election, adjourned till 17th instant.

Bill for protection of property brought in and read first time.

Second reading on Tuesday next

Dalhousie Court House Loan bill, reported, amended & ordered to be engrossed.

Sherbrooke rail road bill read second time, and ordered to be engrossed.

Currency Bill read second time and ordered to be referred to Committee of whole on Wednesday next.

Order of the day for second reading of Bill for relief of Land Claimants, postponed.

Mutual Insurance Bill read second time and ordered to be engrossed.

A Bill to amend an Act of the Legislature of *Lower Canada*, relative to the establishment of Mutual Fire Insurance Companies, was according to Order, read a second time.

Ordered—That the said Bill be engrossed.

Mutual Insurance Bill (Sherbrooke, &c.) read second time, and ordered to be engrossed.

A Bill to amend certain Acts of the Legislature of the late Province of *Lower Canada*, therein mentioned, relating to the establishment of Mutual Insurance Companies, as far as regards the Counties of *Sherbrooke*, *Stanstead*, *Drummond* and *Shefford*, was, according to order, read a second time.

Ordered—That the said Bill be engrossed.

Order of day for second reading Magistrates Clerks' Bill postponed till Friday next.

The Order of the day for the second reading of the Bill to regulate appointment of Clerks to Magistrates in Country Parishes and Townships, in the late Province of *Lower Canada*, and to provide for their conduct, and that of Bailiffs, in certain cases, being read,

Ordered—That the said Order of the day be postponed until *Friday* next.

House in Com on exportation of Flour &c. without inspection.

The Order of the day for the House in Committee to take into consideration the expediency of allowing the exportation from this Province of flour and meal, pot and pearl ashes, and beef and pork, without inspection, and of amending and consolidating the laws now in force in this Province in relation to the inspection of the said commodities, and other references, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Crane* took the chair of the said Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Several resolutions reported and agreed to.

And Mr. *Crane* reported that the Committee had come to several Resolutions, which Resolutions were again read at the Clerk's table, and agreed to by the House, and are as followeth:—

1st Resolution.

Resolved—That it is expedient to allow every description of country produce to be exported from this Province without inspection.

2nd Resolution.

Resolved—That in any City or Town where a Board of Trade is established, the authority of appointing examiners to ascertain the qualifications of applicants for the office of Inspector of any country produce, would be more conveniently exercised by such Board, or in places where none exist, by the Municipal Authorities thereof, than by the head of the Provincial Executive.

3rd Resolution.

Resolved—That it is expedient to amend the Inspection Laws of this Province, in conformity with the foregoing Resolutions.

Resolutions referred to Sel. Committee.

On motion of the Honourable Mr. *Moffatt*, seconded by Mr. *Neilson*,
Resolved—That the said Resolutions be referred to a Select Committee, composed of Mr. *Neilson*, Mr. *Burnet*, Mr. *Dunscumb*, and Mr. *Buchanan*, to report thereon with all convenient speed, by Bill or Bills, in conformity therewith; and that the 77th Rule of this House be dispensed with in so far as relates to the appointment of this Committee.

House in Com. on judicature acts of Gaspé.

The Order of the day for the House in Committee to take into consideration the expediency of altering and amending the Judicature Acts relating to the Inferior District of *Gaspé*, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Gilchrist* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Committee reports a resolution.

And Mr. *Gilchrist* reported, that Committee had come to a Resolu-

tion, which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:—

Resolved—That it is expedient to make further and more effectual provision than heretofore for the due administration of Justice in the District of *Gaspé*.

Resolution.

Ordered—That Mr. *Christie* have leave to bring in a Bill to make more ample provision than heretofore for the due administration of Justice in the territorial division of *Gaspé*.

Gaspé Justice Bill brought in.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

And read 1st time.

Ordered—That the said Bill be read a second time on *Monday* next.

Second reading Monday next.

The Order of the day for the House in Committee on the Report of the Special Committee, to which was referred the Bill to regulate the Fisheries in the District of *Gaspé*, and on the said Bill being read,

House goes into Com. on Gaspé fisheries.

The House accordingly resolved itself into the said Committee.

Mr. *Durand* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Durand*, reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Bill reported, amended.

Ordered—That the report be received *to-morrow*.

Report to be received to-morrow.

The Order of the day for the House in Committee to consider the expediency of amending in part an Ordinance of the Special Council of the late Province of *Lower Canada*, 4th VICTORIA Chapter 42 intituled "*An Ordinance to repeal in part, and amend, and render permanent, as amended, a certain Ordinance therein mentioned, relative to Taverns and Tavern Keepers, and to make further provision relative to the same subject,*" being read,

House goes into Com. of whole on ordinance relating to taverns and Tavern-keepers.

The House accordingly resolve itself into the said Committee.

Captain *Steele* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Captain *Steele*, reported that the Committee had come to a Resolution which Resolution, was again read at the Clerk's table, and agreed to by the House, and is as followeth :

Committee reports a resolution.

Resolved—That it is expedient to repeal the second section of an Ordinance of the Special Council 4th VICTORIA, chapter 42, intituled "*An Ordinance to repeal in part, and amend, and render permanent as amended, a certain Ordinance therein mentioned, relative to Taverns and Tavern Keepers, and to make further provision relative to the same subject.*"

Resolution.

Ordered—That Mr. *Delisle*, have leave to bring in a Bill to repeal the second section of an Ordinance of the Special Council 4, VICTORIA, chapter 42, relative to Tavern and Tavern Keepers.

Bill, to repeal in part Ordinance relating to taverns and Tavern-keepers brought in and read.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Second reading Monday next.

Ordered—That the said Bill be read a second time on *Monday* next.

The Order of the day for the House in Committee to take into consideration the propriety of amending the Laws now in force respecting the Boundary line Commissioners within the *Western* part of *Canada*, being read.

House in Com. of whole on Boundary line Commissioners Law.

The House accordingly resolved itself into the said Committee.

- Mr. *Powell*, took the chair of the Committee, and after some time spent therein,
Mr. Speaker resumed the chair,
And Mr. *Powell*, reported that the Committee had come to a Resolution, which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth :
- Resolution. *Resolved*—That it is expedient to repeal part of, and amend, the Laws now in force in that part of this Province, formerly *Upper Canada*, for the appointment of Boundary line Commissioners.
- Boundary line Act repeal Bill brought in. *Ordered*—That Mr. *Roblin*, have leave to bring in a Bill to repeal an Act passed in the fifth Session of the Parliament of the late Province of *Upper Canada*, intituled “ *An Act to alter and amend an Act passed during the third Session of the present Parliament intituled ‘ An Act to authorize the establishment of Boards of Boundary line Commissioners within the several Districts of this Province, and to make further provisions therein.’*”
- Bill read 1st time. He accordingly presented the said Bill to the House, and the same was received and read for the first time.
- Second reading on Wednesday next. *Ordered*—That the said Bill be read a second time, on *Wednesday* next.
- House in Committee on Rules. The Order of the day for the House in Committee to consider the expediency of altering, rescinding, or amending, any of the Rules of this House, being read,
The House accordingly resolved itself into the said Committee.
Mr. *Sherwood*, took the chair of the Committee, and after some time spent therein,
Mr. Speaker resumed the chair,
And Mr. *Sherwood*, reported that the Committee had come to several Resolutions, which Resolutions were again read at the Clerk's table, and agreed to by the House, and are as followeth :
- Several Resolutions reported. *Resolved*—That this House do meet at three o'clock, in the afternoon : and, if at three o'clock there is not a Quorum, Mr. Speaker may take the chair and adjourn ; but when the House rises on *Friday*, it shall, stand adjourned, to the following *Monday*.
- Resolutions. *Resolved*—That all the expenses and costs attending on private Bills giving any exclusive privilege or advantage, and the relative proceedings in this House thereon, ought not to fall upon the Public, and that it is just and reasonable that part of such expenses and costs should be supported by those who apply for the said Bills ; and that after this session a sum not less than £20, be deposited in the hands of the Clerk of this House by the Petitioners before the second reading of any such Bills.
- Resolved*—That the mode of appointing a Special Committee, shall be first to determine the number it shall consist of, then each Member naming one, which shall be written down by the Clerk ; those who have most voices shall be taken successively, until that the number is completed ; and if any difficulty should arise by two or more having an equal number of voices, the sense of the House shall be taken as to the preference ; but it shall always be understood, that no Member who declares himself or divides against the body or substance of the Bill, motion, or matter to be committed, upon any of the readings thereof, can be nominated to be of a Committee upon such Bill, motion or matter ; or the mover may submit the names of the Members to form the Committee, and if not objected to by the House, the Members so nominated shall compose the Committee.

The Order of the day for the House in Committee on the Bill to authorize the *North American Colonial Association of Ireland* to loan moneys, and to prosecute certain public works in the County of *Beauhar-*
nois, being read,

Order of day for Com-
mittee of whole on N.
A. C. Association of
Ireland Bill postponed.

Ordered—That the said Order of the day be postponed until *Friday* next.

The Order of the day for the House in Committee on the Bill to settle, by a more easy and less expensive mode than now by Law exists, the damages which have been, or may hereafter be, sustained by the Proprietors of land overflowed by means of the erection of Mill dams, being read,

House goes into Com-
mittee on Mill Dam
Bill.

The House accordingly resolved itself into the said Committee.

Mr. *Yule*, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Yule*, reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Progress.

Mr. Speaker put the question,

Is it the pleasure of the House that the Committee have leave to sit again.

The House divided on the question, and the names being called for, they were taken down as followeth :—

House divides on
Question for Com-
mittee sitting again.

YEAS.

<i>Buchanan,</i>	<i>McDonald, (Glen.)</i>	<i>Parke,</i>	<i>Thorburn,</i>
<i>Cook,</i>	<i>McLean,</i>	<i>Powell,</i>	<i>Turcotte,</i>
<i>Crane,</i>	<i>Merritt,</i>	<i>Roblin,</i>	<i>Watts,</i>
<i>Gilchrist,</i>	<i>Noel,</i>	<i>Sherwood,</i>	<i>Yule.—17.</i>
<i>Hale,</i>			

NOES.

<i>Armstrong,</i>	<i>Boswell,</i>	<i>Moffatt, Hon. G.</i>	<i>Ruel,</i>
<i>Baldwin,</i>	<i>Boutillier,</i>	<i>Morin,</i>	<i>Smith, (Front.)</i>
<i>Barthe,</i>	<i>Child,</i>	<i>Parent,</i>	<i>Thompson,</i>
<i>Berthelot,</i>	<i>Derbshire,</i>	<i>Price,</i>	<i>Viger, Hon.D.B.</i>
<i>Borne,</i>	<i>Johnston,</i>	<i>Raymond,</i>	<i>Williams.—20.</i>

So it passed in the Negative.

Question lost.

Mr. *J. S. MacDonald* then moved, seconded by Mr. *McLean*, that the said Bill be referred to a select Committee composed of Mr. *Merritt*, Mr. *Thorburn*, Mr. *Simpson*, and Mr. *Parke*, to report thereon with all convenient speed; with power to send for persons, papers, and records.

Motion for referring
Bill to Select Com-
mittee.

Mr. *Baldwin* moved, seconded by Mr. *Price*, that the further consideration of the said motion be postponed until this day three months.

Motion that further
consideration be post-
poned for three
months.

The question having been put upon this motion, a division ensued, and the names being called for, they were taken down as followeth :—

House divides.

YEAS.

<i>Armstrong,</i>	<i>Boswell,</i>	<i>Morin,</i>	<i>Ruel,</i>
<i>Baldwin,</i>	<i>Boutillier,</i>	<i>Parent,</i>	<i>Smith, (Front.)</i>
<i>Barthe,</i>	<i>Child,</i>	<i>Price,</i>	<i>Thompson,</i>
<i>Berthelot,</i>	<i>Derbshire,</i>	<i>Raymond,</i>	<i>Viger, Hon.D.B.</i>
<i>Borne,</i>	<i>Johnston,</i>		(18.)

NOES.

<i>Buchanan,</i>	<i>McDonald, (Glen.)</i>	<i>Parke,</i>	<i>Turcotte,</i>
<i>Cook,</i>	<i>McLean,</i>	<i>Powell,</i>	<i>Watts,</i>
<i>Crane,</i>	<i>Merritt,</i>	<i>Roblin,</i>	<i>Williams,</i>
<i>Gilchrist,</i>	<i>Moffatt, Hon. G.</i>	<i>Sherwood,</i>	<i>Yule.—19.</i>
<i>Hale,</i>	<i>Noel,</i>	<i>Thorburn,</i>	

So it passed in the Negative.

Motion lost.

Main motion agreed to.

The question being then put upon the main motion, it was agreed to by the House, and—
Resolved accordingly.

Order day for house in Committee on Petitions of inhabitants of Oakland, and others, postponed.

The Order of the day for the House in Committee on the Petitions of divers inhabitants of the Township of *Oakland*: of *Samuel Garnsey* and other inhabitants of the Township of *Bayham*; and of *James Covernton* and others, Magistrates and inhabitants of the District of *Talbot*, being read,
Ordered—That the said Order of the day be postponed until *Monday* next.

House goes into Com. of whole on certain Ordinances relating to Queen's Highway and Winter roads.

The Order of the day for the House in Committee to consider the expediency of altering and amending a certain Ordinance passed by the Special Council of the late Province of *Lower Canada* intituled "*An Ordinance to provide for the improvement, during the Winter season, of the Queen's highways in this Province, and for other purposes*"—also "*An Ordinance to amend the Laws relative to Winter Roads*" being read,
The House accordingly resolved itself into the said Committee.

Mr. *Delisle* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

A Resolution reported and agreed to.

And Mr. *Delisle* reported that the Committee had come to a Resolution, which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:—

Resolution.

Resolved—That it is expedient to amend the Ordinance passed by the Special Council in the 3rd year of Her Majesty's Reign, intituled "*An Ordinance to provide for the improvement, during the Winter season, of the Queen's highways in this Province, and for other purposes*"—and also the Ordinance passed in the 4th year of Her Majesty's Reign, intituled "*An Ordinance to amend the Laws relative to Winter Roads*," by repealing so much thereof as requires that Horses or cattle drawing any Winter Vehicle should be so harnessed as to run in front of one of the runners of such vehicle; and so much thereof as requires winter Roads to be opened and beaten at least twelve feet wide by all persons bound to keep the same in repair:

Bill to repeal certain Ordinances relating to Winter roads &c., brought in and read.

Ordered—That Mr. *Armstrong* have leave to bring in a Bill to amend two certain Ordinances therein mentioned relative to winter Roads, in that part of the Province formerly *Lower Canada*.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Second reading Monday next.

Ordered—That the said Bill be read a second time on *Monday* next.

Then, on motion of Mr. *J. S. Macdonald*, seconded by Mr. *Sherwood*,

The House adjourned.

Jovis, 5^o die Augusti;

ANNO 5^o VICTORIÆ REGINÆ, 1841.

Petitions brought up.

The following Petitions were severally brought up and laid on the Table:—

Of John Hetherington and others.

By Mr. *Crane*—The Petition of *John Hetherington*, and other inhabitants of the Township of *Montague*.

George J. Holt, and others.

By Mr. *Holmes*—The Petition of *George J Holt*, and others, inspectors of pot and pearl ashes, of *Montreal*.

An engrossed Bill, to amend an Act of the Legislature of *Lower Canada*, relative to the establishment of Mutual Fire Insurance Companies, was read for the third time.

Resolved That the Bill do pass.

Ordered—That the Honourable Mr. *Viger* do carry the said Bill to the Legislative Council and desire their concurrence.

Mutual fire Assurance Company bill read a 3rd time and passed.

Bill sent to Legislative Council.

An engrossed Bill to amend a certain Ordinance of the Legislature of *Lower Canada*, for making a Railroad from *Sherbrooke* to the river *Richelieu*, was read for the third time.

Resolved—That the Bill do pass.

Ordered—That Mr. *Moore* do carry the said Bill to the Honourable the Legislative Council and desire their concurrence.

Sherbrooke Rail Road Bill read 3rd time and passed.

Bill sent to Legislative Council.

An engrossed Bill to authorize a further loan to complete the building of the Court House and Gaol for the intended District of *Dalhousie*, was read for the third time.

Resolved—That the Bill do pass.

Ordered—That Mr. *Derbshire* do carry the said Bill to the Legislative Council and desire their concurrence.

Dalhousie Gaol and Court House Loan Bill read a third time and passed.

Bill sent to Legislative Council.

An engrossed Bill to amend certain Acts of the Legislature of the late Province of *Lower Canada*, therein mentioned, relating to the establishment of Mutual Insurance Companies, as far as regards the Counties of *Sherbrooke*, *Stanstead*, *Drummond*, and *Shefford*, was read for the third time.

Bill, Mutual Insurance, as regards Sherbrooke, Stanstead &c., read third time & passed.

Resolved—That the Bill do pass.

Ordered—That Mr. *Watts* do carry the said Bill to the Legislative Council, and desire their concurrence.

Bill sent to Legislative Council.

A Message from the Legislative Council, by *John Godfrey Spragge*, Esquire, Master in Chancery:—

Message from Legislative Council.

MR. SPEAKER,

The Legislative Council have passed the following Bills, without any amendment:—

“*An Act to enable Members of the Legislative Assembly for places within that part of the Province formerly constituting the Province of Upper Canada, to vacate their seats in certain cases, and for other purposes.*”

Members seats, vacation Bill,

“*An Act to amend and enlarge an Act of the Legislature of the late Province of Upper Canada, intituled ‘An Act to ascertain and provide for the payment of all just claims arising from the late Rebellion and invasions of this Province.’*”

Claims amendment Bill.

“*An Act to incorporate the Upper Canada Academy, under the name and style of Victoria College.*”

And Victoria College Bill, passed by Legislative Council.

And then he withdrew.

Pursuant to the Order of the day, the following Petitions were read: *Petitions read.*

Of the Trustees of the *Stanstead Seminary*, praying for the usual allowance towards the support of the said Seminary. *Of Trustees of Stanstead Seminary.*

Of the Clergy and Members of the Church of *England*, resident in the Parish of *Montreal*, praying that the Holy Scriptures may be introduced into Schools as a class book. *Of Clergy &c., of Church of England in parish of Montreal.*

Of *Lewis Davenport*, and others, of *Windsor*, praying to be incorporated under the name and style of “Mining and Fishing Company for the *Canada Shore of Lake Superior.*” *Of Lewis Davenport, and others.*

Of Bernard FitzPatrick, and others.

Of *Bernard FitzPatrick*, and others, confined for debt in the Gaol of the *Midland* District, praying an amendment in the Law of imprisonment for debt.

Of N. H. Baird, Civil Engineer.

Of *N. H. Baird*, Civil Engineer, praying for a remuneration for attendance to give evidence before certain Committees of the Legislature of the late Province of *Upper Canada*.

Of Guy H. Youngs, and others.

Of *Guy H. Youngs*, and others, Freeholders and Inhabitants of the Township of *Athol*, praying that the Bill before this House for amending the Courts of Requests Laws may not be passed.

Motion that Petition of W. Cox, Ezra Annis, and others, be referred to Select Com.

Mr. *Small* moved, seconded by Mr. *Holmes*, That the Petitions of *William Cox*, *Ezra Annis*, and others, of the Township of *Whitby*, praying for the establishment of Schools, and that the Bible be used, as a class book, in the said Schools, be referred to a Committee of five Members, to examine the contents thereof; and to report thereon with all convenient speed, by Bill or otherwise, with power to send for Persons, papers, and records.

Motion in amendment that further consideration of question be postponed.

Mr. *Baldwin* moved, seconded by Mr. *Hincks*,

That the further consideration of the said motion be postponed.

House divides on motion for postponement.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:—

YEAS.

<i>Baldwin,</i>	<i>Crane,</i>	<i>Killaly, Hon.-H.H.</i>	<i>Price,</i>
<i>Berthelot,</i>	<i>Delisle,</i>	<i>Morin,</i>	<i>Raymond,</i>
<i>Borne,</i>	<i>De Salaberry,</i>	<i>Nilson,</i>	<i>Roblan,</i>
<i>Boutillier,</i>	<i>Gilchrist,</i>	<i>Noel,</i>	<i>Steele,</i>
<i>Child,</i>	<i>Harrison, Hon.S.B.</i>	<i>Parent,</i>	<i>Taché,</i>
<i>Christie,</i>	<i>Hincks,</i>	<i>Parke,</i>	<i>Viger, Hon.D.B.</i>
<i>Cook,</i>	<i>Hopkins,</i>		(26.)

NOES.

<i>Boswell,</i>	<i>Hale,</i>	<i>Morris,</i>	<i>Strachan,</i>
<i>Burnet,</i>	<i>Holmes,</i>	<i>Powell,</i>	<i>Thompson,</i>
<i>Cameron,</i>	<i>Johnston,</i>	<i>Prince,</i>	<i>Thorburn,</i>
<i>Campbell,</i>	<i>MacNab, Sir A.N.</i>	<i>Robertson,</i>	<i>Turcotte,</i>
<i>Cartwright,</i>	<i>Merritt,</i>	<i>Simpson,</i>	<i>Watts,</i>
<i>Day, Hon. C. D.</i>	<i>Moffatt, Hon. G.</i>	<i>Small,</i>	<i>Williams.—25.</i>
<i>Foster,</i>			

Motion for postponement carried.

So it was carried in the affirmative and—
Ordered—Accordingly.

Motion that Petition of Rev. R. V. Hall, and others, be referred to Select Committee.

Mr. *Cameron* moved, seconded by Mr. *Johnston*,

That the Petition of the Revered *R. V. Hall*, and others, Inhabitants of the Township of *Stanstead*, County of *Stanstead*, praying that the Bible be adopted as a class book, in all the Schools in this Province, be referred to a Committee of seven Members to examine the contents thereof and report thereon with all convenient speed; with power to send for persons, papers, and records.

House divides on question.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down, as followeth:—

YEAS.

<i>Buchanan,</i>	<i>Cameron,</i>	<i>Cartwright,</i>	<i>Dunn, Hon. J.H.</i>
<i>Burnet,</i>	<i>Campbell,</i>	<i>Day, Hon. C. D.</i>	<i>Foster,</i>

Hale,	Moffatt, Hon. G.	Simpson,	Thorburn,
Holmes,	Morris,	Smith, (Fron.)	Turcotte,
Johnston,	Powell,	Smith, (Went.)	Watts,
MacNab, Sir A.N.	Prince,	Strachan,	Williams,
McDonald, (Pres.)	Robertson,	Thompson,	Yule.—28.

NOES.

Armstrong,	Crane,	Hincks,	Parke,
Baldwin,	Daly, Hon. D.	Hopkins,	Price,
Barthe,	Delisle,	Killaly, Hon. H.H.	Quesnel,
Berthelot,	Derbshire,	Merritt,	Raymond,
Borne,	De Salaberry,	Morin,	Roblin,
Boswell,	Dunscomb,	Neilson,	Steele,
Boutillier,	Durand,	Noel,	Taché,
Christie,	Gilchrist,	Parent,	Viger, Hon. D.B.
Cook,	Harrison, Hon. S.B.		(34).

So it passed in the negative.

Motion for referring
Petition lost.

Mr. *Watts* moved, seconded by Mr. *Cameron*,

That the Petition of the Reverend *R. V. Hall*, and others, Inhabitants of the Township of *Stanstead*, County of *Stanstead*, praying that the Bible be adopted as a class book in all the Schools in this Province, be referred to the Committee of the whole House on the Bill to repeal certain Acts therein mentioned, and to make provision for the establishment and maintenance of Common Schools throughout this Province.

Motion for referring
foregoing petition to
Committee of whole.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:—

YEAS.

Armstrong,	Foster,	Moffatt, Hon. G.	Simpson,
Berthelot,	Gilchrist,	Morin,	Smith, (Fron.)
Boswell,	Hale,	Morris,	Smith, (Went.)
Buchanan,	Hincks,	Neilson,	Steele,
Burnet,	Holmes,	Parke,	Strachan,
Cameron,	Hopkins,	Powell,	Thompson,
Cartwright,	Johnston,	Price,	Thorburn,
Daly, Hon. D.	Killaly, Hon. H.H.	Prince,	Turcotte,
Day, Hon. C.D.	MacNab, Sir A. N.	Quesnel,	Watts,
Delisle,	McDonald, (Pres.)	Robertson,	Williams,
Durand,	Merritt,	Roblin,	Yule.—44.

NOES.

Baldwin,	Christie,	De Salaberry,	Parent,
Borne,	Crane,	Dunscomb,	Raymond,
Boutillier,	Derbshire,	Harrison, Hon. S.B.	Viger, Hon. D.B.
			(12).

So it was carried in the affirmative, and—
Ordered—Accordingly.

Petition referred to
Com. of whole.

On motion of Mr. *Thompson*, seconded by Mr. *Powell*,

Resolved—That the Petitions of *Warner Nelles*, and others, Inhabitants of the County of *Haldimand*, of *John DeCew*, and others, Inhabitants of the County of *Haldimand*, and of *Daniel Hoover*, and others, of the Township of *Walpole*, County of *Haldimand*, presented to the House on the 2nd. instant, be referred to a select Committee composed of Mr. *Merritt*, Mr. *Powell*, Mr. *Child*, and Captain *Steele*, to examine the contents thereof,

Petition of Warner
Nelles, and others, John
De Cew, and others,
and of Daniel Hoover,
and others, referred.

and to report thereon with all convenient speed, by Bill or otherwise ; with power to send for persons, papers, and records.

Petition of N. H. Baird referred.

On motion of Mr. *Boswell*, seconded by Mr. *Merritt*.

Resolved—That the Petition of N. H. *Baird*, Civil Engineer, be referred to a Select Committee, composed of the Honourable Mr. *Killaly*, Mr. *Thorburn*, Mr. *Gilchrist* and Mr. *Parke*, to examine the contents thereof, and to Report thereon with all convenient speed, by Bill or otherwise ; with power to send for persons, papers, and records.

Special Committee on return to address on claim of Christopher Leggo, present report.

Mr. *Morris*, from the Special Committee, to which was referred the Return to an Address of the 6th of *July* last, from this House to His Excellency, the Governor General, relative to the claim of *Christopher Leggo*, of *Brockville*, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth :—

Report on case of Christopher Leggo.

“ Your Committee have carefully and fully investigated the character and extent of the injuries sustained by the said *Christopher Leggo*, and are of opinion that his case is one of peculiar hardship, requiring the immediate adoption of remedial measures ; and Your Committee have therefore to recommend that the attention of the Government may be directed to the subject, by an Address of Your Honourable House.”

Report to be referred to Com. of whole to-morrow.

Ordered—That the said Report be referred to a Committee of the whole House to-morrow.

Population returns from U. C. laid before the House.

The Honourable *S. B. Harrison*, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency, the Governor General, Population Returns of the late Province of *Upper Canada*, for the year 1840, pursuant to Provincial Statute, 1st VICT. Cap. 21.

For the said Returns, see Appendix (T.)

And returns of assessment.

And Assessment Returns of the late Province of *Upper Canada*, for the year 1840, pursuant to the Provincial Statute 59, GEORGE III., Cap. 7.

For the said Return, see Appendix (U.)

And also Report of Commissioners for settling affairs of late Kingston Bank.

And also the Report of the Commission appointed by the Provincial Statute 10 GEO. IV., entitled “ *An Act for settling the affairs of the late Bank at Kingston.*”

For the said Report, see Appendix (V.)

Report of Commissioners of Lachine Canal presented to House.

The Honourable Mr. *Killaly* presented to the House the Report of the Commissioners of the *Lachine Canal*.

For the said Report see Appendix (D.)

Address to be sent to His Excellency for copy of Despatches of Lord John Russell, on “ Responsible Government,” “ Tenure of Office,” and other documents.

On motion of Mr. *Baldwin*, seconded by the Honourable Mr. *Viger*.

Resolved—That an humble address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House a copy of the Despatch of Lord *John Russell*, Her Majesty's Principal Secretary of State for the Colonies, to His Excellency, the Governor General, dated the 14th of *October*, 1839, on Responsible Government ;—a copy of that of the 16th *October*, 1839, to the Lieutenant Governor of *Upper Canada*, on the tenure of offices in the Colonies ; and a copy of so much of that of the 7th *November*, 1839, to His Excellency, the Governor General, as relates to this latter subject ; together with copies of the addresses of the House of Assembly of *Upper Canada* of the 10th and 14th *December*, 1839, to His Excellency, the Governor General, on the same subject, and of His Excellency's answer to those Addresses of the 13th *December*, 1839, and the 14th *January* 1840, respectively.

Ordered—That the said address be presented to His Excellency by

such Members of this House as are of the Honorable the Executive Council of this Province.

Mr. *Morin* moved, seconded by Mr. *Baldwin*,

That it be an instruction to the Committee of the whole House on the Bill to provide for the better internal Government of that part of this Province heretofore *Upper Canada*, by the establishment of Local or Municipal authorities therein, to enquire whether it is expedient to repeal or amend the Ordinances passed by the Governor and Special Council of the late Province of *Lower Canada*, of the 4th, VICTORIA, Chapter 3 and 4, entitled "*An Ordinance to prescribe and regulate the Election and appointment of certain Officers in the several Parishes and Townships in this Province, and to make other provisions for the local interests of the Inhabitants of these divisions of this Province,*" and "*An Ordinance to provide for the better internal Government of this Province, by the establishment of local or Municipal authorities therein,*"

Committee of whole on Municipal Corporation bill of Upper Canada, to enquire into expediency of amending or repealing the ordinances of Lower Canada on the same subject.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:—

House divided.

YEAS.

<i>Armstrong,</i>	<i>Cook,</i>	<i>Morin,</i>	<i>Smith, (Fron.)</i>
<i>Aylwin,</i>	<i>Crane,</i>	<i>Morris,</i>	<i>Sherwood,</i>
<i>Baldwin,</i>	<i>Durand,</i>	<i>Neilson,</i>	<i>Sicele,</i>
<i>Barthe,</i>	<i>Gilchrist,</i>	<i>Noel,</i>	<i>Strachan,</i>
<i>Berthelot,</i>	<i>Hincks,</i>	<i>Parent,</i>	<i>Taché,</i>
<i>Borne,</i>	<i>Hopkins,</i>	<i>Powell,</i>	<i>Taschereau,</i>
<i>Boutillier,</i>	<i>Johnston,</i>	<i>Price,</i>	<i>Thompson,</i>
<i>Buchanan,</i>	<i>MacNab, Sir A.N. Quesnel,</i>	<i>Raymond,</i>	<i>Thorburn,</i>
<i>Burnet,</i>	<i>McLean,</i>	<i>Ruel,</i>	<i>Turcotte,</i>
<i>Cartwright,</i>	<i>Merritt,</i>	<i>Small,</i>	<i>Viger, Hon. D.B.</i>
<i>Child,</i>	<i>Moffatt, Hon. G.</i>		<i>Yule.—46.</i>
<i>Christie,</i>	<i>Moore,</i>		

NOES.

<i>Boswell,</i>	<i>Derbshire,</i>	<i>Harrison, Hon. S.B.</i>	<i>Robertson,</i>
<i>Cameron,</i>	<i>De Salaberry,</i>	<i>Holmes,</i>	<i>Roblin,</i>
<i>Campbell,</i>	<i>Dunn, Hon. J.H.</i>	<i>Killaly, Hon. H.H.</i>	<i>Simpson,</i>
<i>Daly, Hon. D.</i>	<i>Dunscob,</i>	<i>McDonald, (Pres.)</i>	<i>Smith, (Went.)</i>
<i>Day, Hon. C. D.</i>	<i>Foster,</i>	<i>Parke,</i>	<i>Watts,</i>
<i>Delisle,</i>	<i>Hale,</i>	<i>Prince,</i>	<i>Williams.—24.</i>

So it was carried in the affirmative, and—
Ordered—Accordingly.

Ordered—That Mr. *Noel*, have leave to absent himself from this House from the 8th instant, until the 8th *September* next, on urgent business.

Leave of absence to Mr. Noel.

The Honourable Mr. *Harrison* moved, seconded by Mr. *Prince*,

That the Order of the day for the House in Committee on the Bill to provide for the better internal Government of that part of this Province heretofore *Upper Canada*, by the establishment of local or Municipal authorities therein, be the first order of this day.

Motion that House in Com. on Municipal Corporation bill be first order of this day.

Mr. *Johnston* moved, seconded by Mr. *Aylwin*,

That the House do now adjourn.

Motion for adjournment.

The question having been put upon the said motion, a division ensued, and it passed in the negative.

The question being then put on the main motion, a division also en-

House divides on main motion.

sued, and the names being called for, they were taken down, as followeth :—

YEAS.

<i>Armstrong,</i>	<i>Delisle,</i>	<i>Hopkins,</i>	<i>Raymond,</i>
<i>Baldwin,</i>	<i>Derbshire,</i>	<i>Killaly, Hon. H.H.</i>	<i>Robertson,</i>
<i>Borne,</i>	<i>De Salaberry,</i>	<i>McDonald, (Pres.)</i>	<i>Simpson,</i>
<i>Boswell,</i>	<i>Dunn, Hon. J. H.</i>	<i>Merritt,</i>	<i>Smith, (Front.)</i>
<i>Buchanan,</i>	<i>Dunscomb,</i>	<i>Moffatt, Hon. G.</i>	<i>Smith, (Went.)</i>
<i>Cameron,</i>	<i>Durand,</i>	<i>Morin,</i>	<i>Steele,</i>
<i>Campbell,</i>	<i>Foster,</i>	<i>Morris,</i>	<i>Taschereau,</i>
<i>Child,</i>	<i>Gilchrist,</i>	<i>Parke,</i>	<i>Thompson,</i>
<i>Christie,</i>	<i>Halc,</i>	<i>Powell,</i>	<i>Thorburn,</i>
<i>Crane,</i>	<i>Harrison, Hon. S.B.</i>	<i>Price,</i>	<i>Watts,</i>
<i>Daly, Hon. D.</i>	<i>Hincks,</i>	<i>Quesnel,</i>	<i>Williams.—46.</i>
<i>Day, Hon. C. D.</i>	<i>Holmes,</i>		

NOES.

<i>Aylwin,</i>	<i>Cook,</i>	<i>Noel,</i>	<i>Strachan,</i>
<i>Barthe,</i>	<i>Johnston,</i>	<i>Parent,</i>	<i>Taché,</i>
<i>Berthelot,</i>	<i>McNab, Sir A.N.</i>	<i>Prince,</i>	<i>Turcotte,</i>
<i>Boutillier,</i>	<i>McLean,</i>	<i>Roblin,</i>	<i>Viger, Hon. D.B.</i>
<i>Burnet,</i>	<i>Moore,</i>	<i>Sherwood,</i>	<i>Yule.—22.</i>
<i>Cartwright,</i>	<i>Neilson,</i>		

Main motion carried.

So it was carried in the affirmative, and—
Ordered—Accordingly.

Motion for adjournment.

Sir Allan McNab moved, seconded by *Mr. Cartwright*,
That the House do now adjourn.

The question having been put on the said motion a division ensued, and the names being called for they were taken down as followeth :—

YEAS.

<i>Aylwin,</i>	<i>Cook,</i>	<i>Moore,</i>	<i>Roblin,</i>
<i>Barthe.</i>	<i>Johnston,</i>	<i>Neilson,</i>	<i>Smith, (Front.)</i>
<i>Berthelot,</i>	<i>McNab, Sir A.N.</i>	<i>Noel,</i>	<i>Strachan,</i>
<i>Boutillier,</i>	<i>McDonald, (Pres.)</i>	<i>Parent,</i>	<i>Turcotte,</i>
<i>Burnet,</i>	<i>McLean,</i>	<i>Prince,</i>	<i>Viger, Hon. D.B.</i>
<i>Cartwright,</i>	<i>Moffatt, Hon. G.</i>		<i>(22).</i>

NOES.

<i>Armstrong,</i>	<i>Day, Hon. C. D.</i>	<i>Hincks,</i>	<i>Robertson,</i>
<i>Baldwin,</i>	<i>Delisle,</i>	<i>Holmes,</i>	<i>Simpson,</i>
<i>Borne,</i>	<i>Derbshire,</i>	<i>Hopkins,</i>	<i>Smith, (Went.)</i>
<i>Boswell,</i>	<i>De Salaberry,</i>	<i>Killaly, Hon. H.H.</i>	<i>Sherwood,</i>
<i>Buchanan,</i>	<i>Dunn, Hon. J. H.</i>	<i>Merritt,</i>	<i>Steele,</i>
<i>Cameron,</i>	<i>Dunscomb,</i>	<i>Morin,</i>	<i>Taschereau,</i>
<i>Campbell,</i>	<i>Durand,</i>	<i>Morris,</i>	<i>Thompson,</i>
<i>Child,</i>	<i>Foster,</i>	<i>Parke,</i>	<i>Thorburn,</i>
<i>Christie.</i>	<i>Gilchrist,</i>	<i>Powell,</i>	<i>Watts,</i>
<i>Crane,</i>	<i>Halc,</i>	<i>Price,</i>	<i>Williams,</i>
<i>Daly, Hon. D.</i>	<i>Harrison, Hon. S.B.</i>	<i>Quesnel,</i>	<i>Yule.—44.</i>

Motion for adjournment lost

So it passed in the negative.

House in Committee of whole on Municipal Corporation Bill.

The House then, according to Order, resolved itself into a Committee of the whole House on the Bill to provide for the better internal Government of that part of this Province heretofore *Upper Canada*, by the

establishment of local or Municipal authorities therein ; and on the instructions given to the said Committee.

Mr. *Hopkins*, took the chair of the Committee,

And the House having continued to sit until after twelve o'clock at night on *Friday* morning.

Veneris, 6^o die Augusti,

Mr. Speaker resumed the chair,

And Mr. *Hopkins*, reported that the Committee had made some progress, and had directed him to move for leave to sit again. Progress reported.

Mr. Speaker having put the question :

Is it the pleasure of the House that the Committee have leave to sit again.

The House divided on the question, and the names being called for, they were taken down as followeth :— House divides on leave to sit again.

YEAS.

<i>Armstrong,</i>	<i>Day, Hon. C. D.</i>	<i>Holmes,</i>	<i>Robertson,</i>
<i>Baldwin,</i>	<i>Delisle,</i>	<i>Hopkins,</i>	<i>Ruel,</i>
<i>Berthelot,</i>	<i>Derbishire,</i>	<i>Merritt,</i>	<i>Simpson,</i>
<i>Borne,</i>	<i>Dunn, Hon. J. H.</i>	<i>Moore,</i>	<i>Snatl,</i>
<i>Bosicell,</i>	<i>Dunscumb,</i>	<i>Morin,</i>	<i>Smith, (Went.)</i>
<i>Boutillier,</i>	<i>Duraud,</i>	<i>Parke,</i>	<i>Steele,</i>
<i>Buchanan,</i>	<i>Foster,</i>	<i>Powell,</i>	<i>Taschereau,</i>
<i>Cameron,</i>	<i>Gilchrist,</i>	<i>Price,</i>	<i>Thompson,</i>
<i>Campbell,</i>	<i>Hale,</i>	<i>Prince,</i>	<i>Thorburn,</i>
<i>Christie,</i>	<i>Harrison, Hon. S. B.</i>	<i>Quesnel,</i>	<i>Watts,</i>
<i>Crane,</i>	<i>Hincks,</i>	<i>Raymond,</i>	<i>Williams.—45.</i>
<i>Daly, Hon. D.</i>			

NOES.

<i>Aylwin,</i>	<i>Johnston,</i>	<i>Neilson,</i>	<i>Turcotte,</i>
<i>Burthe,</i>	<i>MacNab, Sir A. N.</i>	<i>Strachan,</i>	<i>Viger, Hon. D. B.</i>
<i>Cartwright,</i>	<i>McLean,</i>		(10).

So it was carried in the affirmative, and—

Ordered—That the said Committee have leave to sit again this day, at three o'clock, P. M. Committee to set again at 3 o'Clock. P. M.

The Order of the day for receiving the Report of the Committee of the whole House on the Report of the special Committee to which was referred the Bill to regulate the Fisheries in the District of *Gaspé* and on the said Bill, being read,

Ordered—That the said Order of the day be postponed until *Tuesday* next. Order of the day for Committee of whole an Gaspé fishery Bill, postponed 'till Tuesday next.

The Order of the day for the second reading of the Bill to alter and amend the Laws now in force in that part of this Province formerly *Upper Canada*, regulating the District Courts, being read,

Ordered—That the said Order of the day be postponed until *Tuesday* next. Order of the day for second reading Upper Canada District Court Law postponed till Tuesday next.

The Order of the day for the second reading of the Bill for the relief of *Philippe Aubert De Gaspé*, being read,

Ordered—That the said Order of the day be postponed until *Tuesday* next. Order of the day for 2nd reading De Gaspé's relief Bill postponed till Tuesday next.

Order of the day for the second reading of Welland Canal Stock Bill postponed till Tuesday next.

The Order of the day for the second reading of the Bill to authorize the Stock, held by private parties, in the *Welland Canal*, to be purchased on behalf of the Province, being read,

Ordered—That the said Order of the day be postponed until *Tuesday* next.

Order of the day for Committee of whole on Census Bill postponed till Tuesday next

The Order of the day for the House in Committee on the Bill to repeal certain parts of an Act therein mentioned, and to provide for taking a periodical census of the Inhabitants of this Province, and for obtaining the other statistical information therein mentioned, being read,

Ordered—That the said Order of the day be postponed until *Tuesday* next.

Order of day for Com. of whole on public lands sale Bill postponed.

The Order of the day for the House in Committee on the Bill for the disposal of Public Lands, being read,

Ordered—That the said Order of the day be postponed, until *Tuesday* next.

Order of day for Committee of whole on Court of chancery Bill, postponed till Tuesday next.

The Order of the day for the House in Committee on the engrossed Bill from the Legislative Council, intituled “*An Act to explain and amend an Act passed in the Provincial Parliament of Upper Canada, in the seventh year of the Reign of King WILLIAM, the Fourth, intituled ‘An Act to establish a Court of Chancery in this Province,’ and to render more effectual the said Court,*” being read,

Ordered—That the said Order of the day be postponed until *Tuesday* next.

And then the House having continued to sit until a quarter of an hour before three of the clock on *Friday* morning, adjourned till this day.

Veneris, 6^o die Augusti ;

Anno 5^o Victoriae Reginae, 1841.

Petitions brought up.

The following Petitions were severally brought up, and laid on the table :—

Of John Le Boutillier and others.

By Mr. *Christie*, the Petition of *John Le Boutillier*, and others, Inhabitants of *Perce*, County of *Gaspé*.

J. A. Wilkes and others.

By Mr. *Parke*, the Petition of *J. A. Wilkes*, and others, Freeholders and Inhabitants of the Township of *Brantford* and its vicinity.

Board of Trade of Montreal,

By the Honourable Mr. *Moffatt*, the Petition of the Board of Trade, of *Montreal*.

Quebec Literary and historical society.

By Mr. *Black*, the Petition of the Literary and Historical Society of *Quebec*, praying for a Geological Survey of the Province ;—The Petition of the Literary and Historical Society of *Quebec*, relative to an aid to support the said Society ;—and the Petition of the Committee of Management of the National Schools at *Quebec*.

Ditto (2)

Committee of Management National Schools Quebec.

B. R. Church, and others.

By Mr. *Crane*—The Petition of *B. R. Church*, and others, inhabitants of the Township of *Marlborough*, and its vicinity, County of *Grenville*.

Chs. Morgan, and others.

By Mr. *Boswell*—The Petition of *Charles H. Morgan*, and others, inhabitants of the County of *Northumberland*, in the *Newcastle* District.

Justices Home District. Mayor, Aldermen &c. of City of Toronto

By Mr. *Buchanan*—The Petition of the Justices of the Peace of the *Home* District ; the Petition of the Mayor, Aldermen and Commonalty, of the City of *Toronto*, relative to the means of provided water for the City ;

and the Petition of the Mayor, Aldermen and Commonalty, of the City of *Toronto*, relative to the monies arising from tavern and other licenses.

Mayor Alderman &c.
(2)

By Mr. *Delisle*—The Petition of *Daniel Stott*, and others, Proprietors of Lands in the Seignory of *De Léry*.

Daniel Stott and others.

Pursuant to the Order of the day, the following Petitions were read:

Petitions read.

Of the Commissioners of the *Midland District Turnpike Trust*, suggesting amendments to the Act intituled “*An Act to repeal, alter and amend, the Laws now in force for the regulation of the several macadamized roads within this Province.*”

Of Commissioners of Midland District Turnpike Trust.

Of *Margaret Brislane*, of the Township of *Emily*, in the District of *Newcastle*, stating that the Patent of half of Lot No. 9, in 10th Concession, located to her deceased husband, *John Brislane*, was, by mistake, granted to another person, and praying for a compensation.

Of Margaret Brislane.

Of the Directors of the *Erie and Ontario Railroad Company*, praying that the Legislative Assembly will sanction a loan of £2,500 to the Company from the Government.

Directors of Erie and Ontario Rail Road Company.

Of the Reverend *R. V. Hall*, and others, inhabitants of the Township of *Stanstead*, County of *Stanstead*, praying that the Bible be adopted as a class book in all the Schools in this Province.

Of the Reverend R. V. Hall, and others.

Ordered—That the Petition of the Mayor, Aldermen and Commonalty, of the City of *Toronto*, relative to the means of providing water for the City, be referred to the Special Committee to which were referred the Petition of *Joseph Masson*, and others, of *Toronto*; the Petition of *W. B. Jarvis*, and others, of the City of *Toronto*; and the Petition of the Mayor, Aldermen and Commonalty, of the City of *Toronto*.

Petition from Mayor &c. of Toronto, referred,

Mr. *Price*, from the Special Committee, to which was referred the Petition of *John Grubb*, *Thomas Masson*, and others, inhabitants of the Townships of *Etobicoke*, *Vaughan*, *King*, and other places in the *Home District*, with power to report by Bill or otherwise, presented to the House the Report of the said Committee, which was again read at the Clerk's table, as followeth:—

Special Committee on Petition of Grubb, Musson, and others report.

“Your Committee have examined the Petition referred to them, and find that great inconvenience is sustained by the inhabitants of those Townships from the want of a good road from the *Humber Bridge* in the rear of Lot No. 12, 5th Concession of *Etobicoke*, to the *Peacock Tavern* on *Dundas Street*—and the Petitioners having prayed to be incorporated into a Company to improve the road between those points, either by planking or macadamizing, Your Committee have prepared the draft of a Bill for that purpose, which they beg to submit for the favourable consideration of Your Honourable House.”

Report of Special Committee on Petition of John Grubb, Thomas Musson, and others of Home District.

Mr. *Price* then presented to the House a Bill to incorporate certain persons therein mentioned, for the purposes of making a macadamized road from *Dundas Street* to the river *Humber*, in the Township of *Etobicoke*, which was received and read for the first time.

Dundas and Humber macadamized road bill brought in and read first time.

Ordered—That the said Bill be read a second time on *Friday* next.

Second reading Friday next.

Mr. *Small*, from the Special Committee, to which were referred the Resolutions of this House of *Monday*, the 26th of *July* last, on the subject of the payment of wages to members of the House of Assembly, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

Special Com. on Resolutions of House for payment of wages to members of Assembly present report.

“Your Committee would recommend the adoption of an Address to

Report.

His Excellency, the Governor General, acquainting His Excellency with the opinions of Your Honourable House, as expressed in the Resolutions of the 26th ultimo, and praying that His Excellency will be pleased to communicate His pleasure thereon to Your Honourable House, and therefore, herewith, submit an Address to His Excellency, for the adoption of Your Honourable House, in conformity therewith.

To His Excellency the Right Honourable CHARLES, BARON SYDENHAM, of *Sydenham*, in the County of *Kent*, and of *Toronto*, in *Canada*.

MAY IT PLEASE YOUR EXCELLENCY,

Address to His Excellency the Governor General, on payment of remuneration to members of the House of Assembly.

We, Her Majesty's dutiful and Loyal Subjects, the Commons of *Canada*, in Provincial Parliament Assembled, respectfully beg leave to acquaint Your Excellency that we did, on the 26th day of *July* last, by Resolutions, declare it to be the opinion of this House that it is expedient to repeal a certain Act of the Parliament of the late Province of *Upper Canada*, intituled "*An Act to alter the mode of payment of Wages to Members of the House of Assembly*," and to provide for the remuneration of the Members of the Legislative Assembly, at the several Sessions thereof, and that such remuneration ought to be paid by the Receiver General of this Province out of any monies in his hands, and unappropriated; copies of which resolutions are herewith communicated, and to which we respectfully beg leave to call Your Excellency's attention, and pray that Your Excellency will be pleased to communicate to this House, as early as possible, Your Excellency's pleasure thereon."

House concurs in address

On motion of Mr. *Small*, seconded by Mr. *Christie*,
Resolved—That this House doth concur with the Committee in the said Address to His Excellency the Governor General.

Ordered—That the said Address be presented to His Excellency by such members of this House as are of the Honourable the Executive Council of this Province.

De Gaspé's relief bill read 2nd time

On motion of Mr. *Christie*, seconded by Mr. *Black*,
Ordered—That the Order of the day for the second reading of the Bill for the relief of *Phillippe Aubert De Gaspé*, fixed for *Tuesday* next, be discharged, and that the said Bill be now read a second time.

The said Bill was accordingly read a second time.

To be referred to com of whole on Monday next.

Ordered—That the said Bill be referred to a Committee of the whole House, on *Monday* next.

Notaries bill read first time

Ordered—That Mr. *Black* have leave to bring in a Bill to regulate the admission of persons to the Notarial Profession in that part of the Province called *Lower Canada*.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Second reading Wednesday next.

Ordered—That the said Bill be read a second time on *Wednesday* next.

200 copies of Report of Com. to investigate Toronto riots, to be printed.

Mr. *Cameron* moved, seconded by Mr. *Christie*,
That 200 copies of the Report of the Commissioners appointed to investigate into the cause of the riot which occurred at *Toronto* after the late election for that City, be printed for the use of the members of this House.

The question having been put upon the said motion, a division ensued, and it was carried in the affirmative.

Ordered accordingly.

A Message from the Legislative Council by *John Godfrey Spragge*, Esq., Master in Chancery,—

Message from Legislative Council.

MR. SPEAKER :

The Legislative Council have passed the Bill, intituled “ *An Act to repeal certain Ordinances therein mentioned, and to establish a Board of Works in this Province,*” without any amendment.

Board of Works bill passed.

And then he withdrew.

On motion of Mr. *Powell*, seconded by Mr. *Thorburn*.

Resolved—That an humble address be presented to His Excellency, the Governor General, praying that his Excellency will be pleased to cause to be laid before this House, a statement in detail of the monies that have been collected under and by virtue of an Act of the Legislature of that part of the Province formerly called *Upper Canada*, passed in the 7th year of the Reign of WILLIAM the *Fourth*, chapter *ninety-five*, intituled, “ *An Act granting to His Majesty a sum of money for the erection of certain Light Houses within the Province, and for other purposes therein mentioned,*” from 1837 to 1840 inclusive—together with a statement including the cost of the several Light Houses that have been erected under and by virtue of the said Act, and the respective and aggregate expenses of keeping and maintaining the same during that period.

Address to be sent to His Excellency for statement of moneys collected under 7 Wm 4, chap. 95.

Ordered—That the said address be presented to His Excellency by such members of this House as are of the Honourable the Executive Council of this Province.

On motion of Mr. *Small*, seconded by Mr. *Christie*,

Ordered—That the report of the Commissioners appointed to investigate into the cause of the riot which occurred at *Toronto* after the late election for that city, be referred to the Committee to which was referred the Petition of *Peter Leppard*, of *East Gwillimbury*, *Home District*, and other references.

Report of Commissioners on Toronto riots referred to com. on petition of Peter Leppard.

Ordered—That the Order of the day for the second reading of the Bill to incorporate the *Montreal Board of Trade* be postponed until *Monday* next.

Order of day for 2nd reading Montreal Board of Trade bill, postponed 'till Monday next.

On motion of the Honourable Mr. *Moffatt*, seconded by Mr. *Delisle*,

Ordered—That the Bill to secure to and confer upon *Jacques Alexandre Tailhades*, an Inhabitant of this Province, the Civil and Political Rights of a natural born *British Subject*, read a second time on *Wednesday* the 14th day of *July* last, be now taken into further consideration.

Bill for relief of J. A. Tailhades, considered.

The House proceeded accordingly to take the said Bill into further consideration.

Ordered—That the following proviso be added to the first section of the said Bill, and do make part thereof:

Proviso added to bill.

“ Provided always, that in order to entitle himself to the benefit of this Act, the said *Jacques Alexandre Tailhades*, shall take and subscribe, before the Clerk of the Peace for the District of *Montreal*, the Oath of Allegiance to Her Majesty, Her Heirs, and Successors; and that such Oath, so taken and subscribed, shall be kept by the Clerk of the Peace among the Records of his Office.”

Ordered—That the said Bill, as amended, be engrossed and read a third time on *Monday* next.

Bill as amended to be engrossed

On motion of Mr. *Henry Smith*, seconded by Mr. *Thorburn*.

Resolved—That the following fees be allowed to the Clerk of the Crown in Chancery, and the Clerk of this House, for the time being, for as-

Table of fees to be allowed to Clerk of Crown in Chancery.

certaining and taxing the amount of costs on Election Petitions when the same have been declared frivolous and vexatious, or when the defence of the sitting member shall be declared frivolous and vexatious.

To the Clerk of the Crown in Chancery, for each taxation and Report, £1. 5. 0.

To the Clerk of this House for same services, £1. 5. 0

Administration of Justice in Magdalen Islands, Bill brought in and read 1st time.

Ordered—That Mr. *Christie*, have leave to bring in a Bill to provide temporarily for the administration of Justice in the *Magdalen* Islands, in the Gulf of *St. Lawrence*.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Second reading Monday next.

Ordered—That the said Bill be read a second time on *Monday* next.

Order of day for com. of whole on N. A. Col. Association of Ireland bill, postponed until Friday next.

Ordered—That the Order of the day for the House in Committee on the Bill to authorize the *North American* Colonial Association of *Ireland* to loan moneys, and to prosecute certain Public Works in the County of *Beauharnois*, be postponed until *Friday* next.

House to go into com. on duties on importation of produce & live stock, on Friday next.

On motion of Mr. *Prince*, seconded by Mr. *Roblin*,

Ordered—That this House will on *Friday* next resolved itself into a Committee of the whole House to consider the expediency of imposing a duty on Agricultural and other produce, and also on live Stock, imported into this Country from the *United States of America*.

House in Committee of whole, on Municipal Corporation bill.

The Order of the day for the House in Committee on the Bill to provide for the better internal Government of that part of this Province, heretofore *Upper Canada*, by the establishment of local or municipal authorities therein; and on the instruction given to the said Committee, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Hopkins* took the chair of the Committee,

And the House having continued to sit until after 12 o'clock, on *Saturday* morning.

Sabbati, 7^o die Augusti ;

Several Members having retired, Mr. Speaker resumed the chair.

The names of the Members present were taken down as followeth :

Mr. Speaker,

Mr. *Baldwin*, Mr. *Borne*, Mr. *Boswell*, Mr. *Boutillier*, Mr. Solicitor General *Day*, Mr. *Delisle*, Mr. *Derbishire*, Mr. *Gilchrist*, Mr. *Hale*, the Honourable Mr. *Harrison*, Mr. *Hopkins*, Mr. *Parke*, Mr. *Powell*, Mr. *Prince*, Mr. *Simpson*, and the Honourable Mr. *Viger*.

House adjourns for want of quorum.

And at half past 12 o'clock on *Saturday* morning, Mr. Speaker adjourned the House, for want of a quorum, until *Monday* next.

Lunæ, 9^o die Augusti ;

Anno 5^o *Victoriæ Reginæ*, 1841

Petitions brought up.

The following Petitions were severally brought up and laid on the Table :—

J. A. Wilkes, and others.

By Mr. Attorney General *Draper*,—The Petition of *J. A. Wilkes*, and others, near the *Grand River* in the Districts of *Gore* and *Niagara*.

By Mr. *Hermannus Smith*,—The Petition of *William New*, of the Town of *Hamilton*. William New.

By Mr. *McLean*,—The Petition of *Richard Louks, Junior*, and others, Members of the *Presbyterian* Congregation of *Osnabruck*. Richard Louks, Jun'r.

By Mr. *Durand*,—The Petition of *Jacob Hailer*, and others, Inhabitants of the Townships of *Waterloo, Woolwich*, and other places ;—and the Petition of *Arthur Palmer*, and others, Members of the Board of Education for the District of *Wellington*. Jacob Hailer and others.
Arthur Palmer, and others.

By Mr. *Crane*,—The Petition of the *Presbyterian* Congregation of *South Gower*, in connexion with the Church of *Scotland* ; and the Petition of *James Maitland*, and others, inhabitants of the Township of *Marlborough* and other places. Presbyterian congregation of South Gower.
James Maitland, and others.

By Mr. *Robertson*—The Petition of *Samuel Galloway*, and others, inhabitants of *Wentworth*, county of *The Lake of Two Mountains*—and the Petition of the Reverend *William Abbott*, Rector of *St. Andrews, Ottawa River*, and of the Members of his congregation. Samuel Galloway, and others.
Wm. Abbott & others

By Mr. *Cameron*—The Petition of *William Wallace*, and others, inhabitants of the township of *Ramsay*, District of *Bathurst*—and the Petition of *H. Glass*, and others, inhabitants of *Perth*, and its vicinity. William Wallace and others.
H. Glass, and others.

By Mr. *Holmes*, the Petition of *William B. Jarvis*, and others, citizens of *Toronto*, praying that an Act may be passed in favour of *Joseph Masson*, and others, incorporating them under the title of "The city of *Toronto Gas Light and Water Company*." William B. Jarvis, and others.

On motion of Mr. *Holmes*, seconded by Mr. *Parke*,
Ordered—That the said Petition be now read, and that the rule of this House, of the 28th of *June* last, be dispensed with, as to the present Petition. Foregoing petition read.

The said Petition was read accordingly.

An engrossed Bill to secure to and confer upon *Jacques Alexandre Tailhades*, an inhabitant of this Province, the civil and political rights of a natural born *British* subject, was read for the third time. Tailhades' relief bill read third time and passed.

Resolved—That the Bill do pass.

Ordered—That the Honourable Mr. *Moffatt* do carry the said Bill to the Legislative Council, and desire their concurrence.

Pursuant to the order of the day the following Petitions were severally read :

Of *John Hetherington*, and others, inhabitants of the Township of *Montague*, suggesting certain alterations to facilitate the sale of *Canadian* produce. John Hetherington and others.

Of *George J Holt*, and others, Inspectors of Pot and Pearl Ashes, of *Montreal*, praying that a Bill about to be introduced into the Legislative Assembly, by which Pot and Pearl Ashes may be shipped from this Province without inspection, may not pass ; or if the Bill do pass, to re-establish the old rates of fees. George J. Holt, and others.

Of *John Le Boutillier*, and others, inhabitants of *Percé*, County of *Gaspé*, praying for an aid to support a School. Of John Le Boutillier, and others.

Of *J. A. Wilkes*, and others, Freeholders and inhabitants of the Township of *Brantford*, and its vicinity, praying that so much of the 11th section of the 19th chapter of the Statute 56 GEORGE the *Third*, as separates from the county of *Haldimand* its *Western* Division, and makes it a part of the county of *Wentworth*, may be repealed. Of John A. Wilkes, and others.

Of the Board of Trade of *Montreal*, praying that the 2nd section of the Ordinance 2nd VICTORIA, chapter 19, which fixes the limits of the Ports of *Quebec* and *Montreal*, may be repealed. Of Board of Trade, Montreal.

Of Literary and Historical Society of Quebec
Of Ditto.

Of the Literary and Historical Society of *Quebec*, praying for a Geological Survey of the Province.

Of the Literary and Historical Society of *Quebec*, praying for an aid to support the said Society.

Of Com. of Management of National Schools Quebec

Of the Committee of management of the National Schools at *Quebec*, praying for an aid towards the support of the said Schools.

Of B. R. Church, and others.

Of *B. R. Church*, and others, Inhabitants of the Township of *Marlborough*, and its vicinity, County of *Grenville*, praying for an aid of £200, to make and repair a road through the said Township.

Of Charles Morgan, and others.

Of *Charles Morgan*, and others, Inhabitants of the County of *Northumberland*, in the *Newcastle* District, praying for aid to construct a Plank Road from the Town of *Cobourg* to *Rice Lake*.

Of Justices of Peace, Home District.

Of the Justices of the Peace of the *Home* District, praying that an Act may be passed with certain provisions to enable them to pay £1000, due by the said District.

Mayor, Aldermen, &c. of Toronto.

Of the Mayor, Aldermen, and commonalty, of the City of *Toronto*, praying that the moneys arising from Tavern and other Licenses, granted within the City, may be placed under the control of the Corporation.

Of Daniel Stott, and others.

Of *Daniel Stott*, and others, proprietors of lands in the Seignory of *De Léry*, praying that in any law which may be passed for the commutation of the Feudal Tenure, the value of the Land, without regard to the improvements, may be made the basis for calculating the value of the *Lods et Ventés*; and the rate at which lands were originally conceded, as the basis for the value of the *Cens et Rents*.

Petition of A. Dingwall Fordyce, and others, referred to Select Committee

On motion of Mr. *Durand*, seconded by Mr. *Hopkins*.

Resolved—That the Petition of *A. Dingwall Fordyce*, and others, Magistrates and Freeholders, of the District of *Wellington*, presented to the House on the 5th of *July* last, be referred to a Select Committee, composed of Mr. *Harmanus Smith* and Sir *Allan McNab*, to examine the contents thereof, and report thereon with all convenient speed, by Bill or otherwise; with power to send for persons, papers, and records.

Petition of Wm. B. Jarvis, referred to Committee on petition of Joseph Masson, & others.

Ordered—That the Petition of *William B. Jarvis*, and others, Citizens of *Toronto*, be referred to the Special Committee to which were referred the Petition of *Joseph Masson*, and others, of *Toronto*; the Petition of *W. B. Jarvis*, and others of the City of *Toronto*, and the Petition of the Mayor, Aldermen and Commonalty of the City of *Toronto*.

Committee of whole on subject of addressing His Excellency the Governor General for free pardon of certain offenders, on Friday next.

On the motion of Mr. *Acilson*, seconded by Mr. *Christie*.

Resolved—That this House will, on *Friday* next, resolve itself into a Committee of the whole House, to consider the expediency of addressing His Excellency, the Governor General, as representing the Crown in this Province, praying that the Royal prerogative may be exercised to the effect of granting a free pardon, indemnity and oblivion, of all crimes, offences, and misdemeanors, connected with the political disturbances which so unhappily have prevailed in the late Provinces of *Upper* and *Lower Canada*.

Montreal Roads Bill read second time, and to be referred to Com of whole on Wednesday next.

A Bill to amend the Ordinance of the 3d *VICTORIA*, Chapter 31, for the improvement of the roads in the neighbourhood of, and leading to, the City of *Montreal*, was, according to order, read a second time.

Ordered—That the said Bill be referred to a Committee of the whole House on *Wednesday* next.

Bill to exempt from duty the Holy Scriptures, read second time and ordered to be engrossed.

A Bill to exempt from duty all copies of the Holy Scriptures imported into this Province by navigation from Sea, was, according to order, read a second time.

Ordered—That the said Bill be engrossed.

The Order of the day for the second reading of the Bill to alter and amend an Act of the Legislature of *Upper Canada*, intituled "*An Act to provide for the laying out, amending, and keeping in repair, the public Highways and Roads in this Province, and to repeal the Laws now in force for that purpose,*" being read,

Ordered—That the said Order of the day be postponed until *Wednesday* next.

A Bill to increase the sum which may be raised, under a certain Act therein mentioned, for defraying the cost of certain public buildings in the County of *Simcoe*, was, according to order, read a second time.

Ordered—That the said Bill be referred to a Committee of the whole House, on *Wednesday* next.

A Bill to grant authority to licensed surveyors to administer an oath in certain cases, and to protect them in the discharge of their duty, in surveying lands, was, according to order, read a second time.

Ordered—That the said Bill be engrossed.

A Bill to regulate the appointment of Clerks of Magistrates in country Parishes and Townships in the late Province of *Lower Canada*, and to provide Rules for their conduct, and that of Bailiffs, in certain cases, was, according to order, read a second time.

A Bill for the protection of copy rights in that part of the Province formerly constituting *Upper Canada*, was, according to order, read a second time.

Ordered—That the said Bill be referred to a Committee of the whole House, on *Wednesday* next.

The Order of the day for the second reading of the Bill to continue an Act relative to Agricultural Societies, and for other purposes therein mentioned, being read,

Ordered—That the said Order of the day be postponed until *Monday* next.

A Bill to amend and consolidate the several Acts of the Legislature of *Upper Canada*, passed for the relief of persons claiming Lands under the nominees of the Crown, in cases where no Patent hath issued for such Lands, was, according to order, read a second time.

Ordered—That the said Bill be referred to a Committee of the whole House to-morrow.

A Bill to make more ample provision than heretofore for the due administration of Justice in the territorial division of *Gaspé*, was, according to Order, read a second time.

Ordered—That the said Bill be referred to a Committee of the whole House, on *Friday* next.

A Bill to repeal the 2nd Section of an Ordinance of the Special Council, 4th VICTORIA, Chapter 42, relating to Taverns and Tavern-keepers, was, according to Order, read a second time.

Ordered—That the said Bill be engrossed.

A Bill to amend two certain Ordinances therein mentioned relative to Winter Roads in that part of the Province formerly *Lower Canada*, was, according to order, read a second time.

Mr. *Armstrong* moved, seconded by Mr. *Neilson*, That the said Bill be engrossed.

Order of the day for second reading Highway Bill, postponed 'till Wednesday next.

Simcoe Gaol and Court House Bill read second time and to be referred to Committee of whole to-morrow.

Surveyors' protection Bill read 2nd time, and ordered to be engrossed.

Magistrates' Clerks appointment bill read second time.

Copy right Bill read a second time and to be referred to a Committee of whole on Wednesday next.

Order of the day for the 2nd reading of Agricultural Societies' Bill, postponed 'till Monday next.

Bill to consolidate Heir and Devisee acts read 2nd time, to be referred to Com. of whole to-morrow.

Gaspé Judicature Bill read second time, and ordered to be referred to Committee of whole on Friday.

Bill to repeal part of Ordinance relating to Tavern-keepers, read 2nd time and ordered to be engrossed.

Bill to amend Ordinances relating to Winter Roads, read 2nd time and ordered to be engrossed.

Mr. *Watts* moved in amendment, seconded by Mr. *Holmes*,

That all the words in the said motion after the word "Bill" be struck out, and the following substituted :—" Be referred to a Committee of the whole House on *Friday* next.

The question being put upon the motion of amendment, a division ensued, and it passed in the negative.

The question being then put upon the main motion, it was agreed to by the House.

Ordered accordingly.

Papers relating to the Honourable John Gawler Thompson, presented to the House.

The Honourable Mr. *Daly* presented, pursuant to an Address of the House of Assembly of the 13th of *July* last, various papers having reference to the Honourable *John Gawler Thompson*, Provincial Judge of the Inferior District of *Gaspé*.

For the said Papers, see Appendix (W.)

And divers papers and documents relating to Municipal Districts of Lower Canada.

And, also, pursuant to an Address of the House of Assembly, of the 4th instant, divers papers and documents having reference to the erection of Municipal Districts in the late Province of *Lower Canada*.

For the said Papers and Documents, see Appendix (X.)

Message from His Excellency the Governor General.

The Honourable *S. B. Harrison*, one of Her Majesty's Executive Council, delivered to Mr. Speaker a Message from His Excellency, the Governor General, signed by His Excellency.

And the said Message was read by Mr. Speaker, all the members of the House being uncovered, and is as followeth :—

SYDENHAM,

Survey ordered of Black Creek, and Annis' Creek, in Whitby.

The Governor General informs the House of Assembly, in answer to their Address relative to a survey and report on the intended Harbours at the mouth of *Annis' Creek*, and *Black Creek*, in the Township of *Whitby*, that directions have been given to the Board of Works to carry the wishes of the House of Assembly into effect.

Government House,
Kingston, 9th August, 1841. }

New Commission to issue to take evidence in the controverted Election for the Town of Niagara.

Mr. *Small* moved, seconded by Mr. *Woods*,

That it having been intimated to the Speaker of this House, that in consequence of *John Shuter Smith*, Esquire, Chairman of the Commission appointed to take testimony in the matter of the Petition of *Robert Melville* and *John McBride*, Electors of the Town of *Niagara*, complaining of the undue election and return of *Edward Clarke Campbell*, Esquire, as a member to represent the said Town of *Niagara* in this present Parliament, having unavoidably been obliged to leave this Province for *Europe*, it has become necessary to issue a new Commission;—Be it therefore Resolved that a new Commission do forthwith issue, to *Alexander Grant*, of the city of *Toronto*, Esquire, *Lorenzo D. Raymond*, of *St. Catherines*, Gentleman, and *Jacob Keefer*, of *Thorold*, Esquire, and that *Alexander Grant*, Esquire, be Chairman of the said Commission.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth :—

YEAS.

<i>Baldwin,</i>	<i>Chesley,</i>	<i>Delisle,</i>	<i>MacNab, Sir A.N.</i>
<i>Berthelot,</i>	<i>Child,</i>	<i>Duggan,</i>	<i>McDonald, (Pres.)</i>
<i>Borne,</i>	<i>Christie,</i>	<i>Gilchrist,</i>	<i>McLean,</i>
<i>Boutillier,</i>	<i>Cook,</i>	<i>Holmes,</i>	<i>Merritt,</i>
<i>Buchanan,</i>	<i>Crane,</i>	<i>Killaly, Hon. H.H.</i>	<i>Moffatt, Hon. G.</i>

<i>Moore,</i>	<i>Powell,</i>	<i>Small,</i>	<i>Taché,</i>
<i>Morin,</i>	<i>Price,</i>	<i>Smith, (Front.)</i>	<i>Turcotte,</i>
<i>Parcmt,</i>	<i>Raymond,</i>	<i>Smith, (Went.)</i>	<i>Viger, Hon. D.B.</i>
<i>Parke,</i>	<i>Robertson,</i>	<i>Steele,</i>	<i>Yule.—36.</i>

NOES.

<i>Cameron,</i>	<i>Foster,</i>	<i>Roblin,</i>	<i>Watts.—7.</i>
<i>Cartwright,</i>	<i>Harrison, Hon. S.B.</i>	<i>Thorburn,</i>	

So it was carried in the affirmative, and—
Resolved—Accordingly.

On motion of Mr. *Morin*, seconded by Mr. *Christie*,

Ordered—That the divers papers and documents having reference to the erection of Municipal Districts in the late Province of *Lower Canada*, laid before the House this day, by order of His Excellency, the Governor General, be referred to the Committee of the whole House on the Bill to provide for the better internal Government of that part of this Province heretofore *Upper Canada*, by the establishment of local or municipal authorities therein.

Papers relating to Municipal Districts referred.

Ordered—That the said papers and documents be printed for the use of the Members of this House.

Municipal District documents to be printed.

A Bill to incorporate the *Montreal* Board of Trade, was, according to order, read a second time.

Ordered—That the said Bill be referred to a Committee of the whole House on *Wednesday* next.

Montreal Board of Trade Bill read 2nd time and to be referred to Committee of whole on Wednesday next.

A Bill to provide temporarily for the administration of Justice in the *Magdalen* Islands, in the *Gulf of St. Lawrence*, was, according to order, read a second time.

Ordered—That the said Bill be referred to a Committee of the whole House on *Friday* next,

Magdalen Islands Administration Justice Bill read 2nd time and to be referred to Committee of whole on Friday next.

A Bill to establish a Company to be called the *Haldimand* Glass Works Company, was, according to order, read a second time.

Ordered—That the said Bill be referred to a Committee of the whole House on *Wednesday* next.

Haldimand Glass works Bill read 2nd time and to be referred to Committee of whole on Wednesday next.

The Order of the day for the House in Committee on the Bill for the relief of *Philippe Aubert De Gaspé*, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Taché* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Taché* reported that the Committee had gone through the Bill, without making any amendment thereto, and the Report was again read at the Clerk's table.

House goes into Committee of whole, on Bill for relief of P. A. De Gaspé.

Ordered—That the said Bill be engrossed.

Bill reported without amendments and ordered to be engrossed.

The Order of the day for the House in Committee on the Bill to provide for the better internal Government of that part of the Province heretofore *Upper Canada*, by the establishment of local or municipal authorities therein, and on the instruction given to the said Committee, being read,

Ordered—That the said Order of the day be postponed until tomorrow.

Order of day for Committee of whole on Municipal Bill postponed.

The Order of the day, for the House in Committee, to take into con-

House goes into Committee of whole on Speaker's Salary Bill.

consideration the propriety of providing for the payment of an annual salary to the Honourable the Speaker of this House, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Boutillier* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Several Resolutions reported.

And Mr. *Boutillier* reported that the Committee had come to several Resolutions, which he was directed to submit to the House whenever it shall be pleased to receive the same.

Report to be received on Thursday next.

Ordered—That the Report be received on *Thursday* next.

House goes into Committee of whole on Law of possession.

The Order of the day, for the House in Committee, to take into consideration the expediency of altering the Law of Possession, so far as relates to erroneous surveys, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Harmanus Smith* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair.

Order of day for Committee of whole on timber Measurement Bill postponed till Thursday next.

The Order of the day, for the House in Committee, on the Bill to regulate the inspection and measurement of timber, masts, spars, deals, staves, and other articles of a like nature, in the Ports of *Quebec* and *Montreal*, and for other purposes relative to the same, being read,

Ordered—That the said Order of the day be postponed until *Thursday* next.

Order of the day for Committee of whole on Petitions of divers Inhabitants of Oakland postponed till Friday next.

The Order of the day, for the House in Committee, on the Petitions of divers inhabitants of the Township of *Oakland*—of *Samuel Garnsey*, and others, inhabitants of the Township of *Bayham*—and of *James Covernton*, and others, Magistrates and Inhabitants of the District of *Talbot*, being read,

Ordered—That the said Order of the day be postponed until *Friday* next.

Then, on motion of the Honourable Mr. *Viger*, seconded by Mr. *Baldwin*,

The House adjourned.

Martis, 10^o die Augusti ;

Annō 5^o Victoriae Reginae, 1841.

Petitions brought up.

The following Petitions were severally brought up and laid on the table:—

Ladies Roman Catholic Orphan Asylum of Montreal.
Rev. Walter Roach and others.

By Mr. *Quesnel*—The Petition of the Ladies of the *Roman Catholic Orphan Asylum of Montreal*.

Chas. De Léry, Senr.

By Mr. *Dunsmuir*—The Petition of the Reverend *Walter Roach*, and Elders of the *Scotch Church*, at *Beauharnois*.

Dame Emilie Gamelin and others.

By the Honourable Mr. *Viger*—The Petition of *Charles De Léry*, Senior, of *Quebec*, late senior Clerk assistant of the Legislative Council of *Lower Canada*—the Petition of Dame *Emilie Gamelin*, and others, of *Montreal*, relative to an Act of Incorporation—and the Petition of Dame *Emilie Gamelin*, and others, of *Montreal*, relative to an aid of £90.

Ditto. (2)

Rev. A. Balfour and others.
Daniel Clarke and others.

By Mr. *Foster*—The Petition of the Reverend *A. Balfour*, and others.
By Mr. *J. S. Macdonald*—The Petition of *Daniel Clarke*, and others, inhabitants of the Counties of *Glengarry* and *Stormont*—and the Petition

of *Alexander McMartin*, and others, inhabitants of the County of *Glengarry*, *Eastern District*. Alex. McMartin and others

By Mr. *Thorburn*—The Petition of *John Smyth*, of the City of *Toronto*, Surveyor. John Smyth, of Toronto

By Mr. *Prince*—The Petition of *Joseph Milburn*, of the Township of *York*, *Home District*. Joseph Milburn, of York Township

By Mr. *Aylwin*—The Petition of the Reverend *Hugh Paisley*, and others, of the Parish of *St. Catharine de Fossambault*. Reverend Hugh Paisley, and others.

An engrossed Bill for the relief of *Philippe Aubert De Gaspé*, was read for the third time. De Gaspé's relief Bill read third time and passed.

Resolved—That the Bill do pass.

Ordered—That Mr. *Christie* do carry the said Bill to the Legislative Council, and desire their concurrence. Bill sent to Legislative Council.

An engrossed Bill to exempt from duty all copies of the Holy Scriptures imported into this Province, by navigation from sea, was read for the third time. Scriptures duty exemption Bill read third time and passed

Resolved—That the Bill do pass—and that the title be “*An Act to exempt from duty all copies of the Holy Scriptures, imported into this Province by sea.*” Title

Ordered—That Mr. *Holmes* do carry the said Bill to the Legislative Council, and desire their concurrence. Bill sent to Legislative Council

An engrossed Bill to grant authority to licensed Surveyors to administer an oath, in certain cases, and to protect them while in the discharge of their duty in surveying lands, was read for the third time. Surveyors' protection Bill read 3rd time and passed.

Resolved—That the Bill do pass—and that the title be “*An Act to grant authority to Licensed Surveyors, in that part of this Province called Upper Canada, to administer an Oath in certain cases, and to protect them while in the discharge of their duty in surveying lands.*” Title

Ordered—That Mr. *Roblin* do carry the said Bill to the Legislative Council, and desire their concurrence. Bill sent to Legislative Council

An engrossed Bill to repeal the 2d Section of an Ordinance of the Special Council, 4th VICTORIA, Chapter 42, relating to Taverns and Tavern Keepers, was read for the third time. Bill relating to Taverns and Tavern keepers read third time.

Mr. *Delisle* moved, seconded by Mr. *Black*,

That the Bill do pass, and that the title be “*An Act to repeal the second Section of an Ordinance of the Legislature of Lower Canada, relating to Taverns and Tavern Keepers.*” Motion for passing bill

Mr. *Cameron* moved, seconded by Mr. *Roblin*,

That the said Bill do not now pass, but that it be read this day three months. Contra.

The question having been put on the said motion, a division ensued, and the names being called for, they were taken down, as followeth :— Division on motion against passing Bill.

YEAS.

<i>Boswell.</i>	<i>Foster,</i>	<i>Moffatt, Hon. G.</i>	<i>Roblin,</i>
<i>Cameron,</i>	<i>Gilchrist,</i>	<i>Morris,</i>	<i>Thompson,</i>
<i>Campbell,</i>	<i>Holmes,</i>	<i>Parke,</i>	<i>Thorburn,</i>
<i>Cartwright,</i>	<i>Hopkins,</i>	<i>Powell,</i>	<i>Watts,</i>
<i>Child,</i>	<i>McDonald, (Pres.)</i>	<i>Price,</i>	<i>Williams.—23.</i>
<i>Cook,</i>	<i>McDonald, (Glen.)</i>	<i>Robertson,</i>	

NOES.

<i>Armstrong,</i>	<i>Baldwin,</i>	<i>Berthelot,</i>	<i>Boutillier,</i>
<i>Aylwin,</i>	<i>Barthe,</i>	<i>Black,</i>	<i>Buchanan,</i>

<i>Burnet,</i>	<i>De Salaberry,</i>	<i>Moore,</i>	<i>Small,</i>
<i>Chesley,</i>	<i>Draper, Hon. W.H.</i>	<i>Morin,</i>	<i>Smith, (Fron.)</i>
<i>Christie,</i>	<i>Durand,</i>	<i>Neilson,</i>	<i>Steele,</i>
<i>Crane,</i>	<i>Harrison, Hon. S.B.</i>	<i>Parent,</i>	<i>Taché,</i>
<i>Daly, Hon. D.</i>	<i>Johnston,</i>	<i>Quesnel,</i>	<i>Viger, Hon. D.B.</i>
<i>Day, Hon. C. D.</i>	<i>MacNab, Sir A.N.</i>	<i>Raymond,</i>	<i>Woods,</i>
<i>Delisle,</i>	<i>McLean,</i>	<i>Simpson,</i>	<i>Yule.—37.</i>
<i>Drbishire,</i>			

Motion lost So it passed in the negative.

Main question carried The question being then put upon the main motion, it was agreed to by the House, and—
Resolved, accordingly.

Bill sent to Legislative Council *Ordered*—That Mr. *Delisle* do carry the said Bill to the Legislative Council, and desire their concurrence.

Engrossed Bill relating to winter roads read third time An engrossed Bill to amend two certain Ordinances therein mentioned, relative to winter roads in that part of the Province formerly *Lower Canada*, was read for the third time.

Motion for passing bill Mr. *Armstrong* moved, seconded by Mr. *Neilson*, That the Bill do pass, and that the title be “*An Act to amend two certain Ordinances therein mentioned, relative to Winter Roads in that part of the Province formerly called Lower Canada.*”

Amendment to motion for passing Bill. Mr. *Watts* moved in amendment, seconded by the Honourable Mr. *Moffatt*,

Ryder proposed That the following engrossed Proviso be added to the said Bill by way of *Ryder*, and do make part thereof:—
“Provided always, and be it enacted, that the provisions contained in the first Section of this Act shall not extend to any part of this Province except the District of *Quebec*, any thing in the said Section to the contrary hereof in any wise notwithstanding.”

House divided on *Ryder* The question having been put on the said motion, a division ensued, and the names being called for, they were taken down, as followeth:—

YEAS.

<i>Cartwright,</i>	<i>McDonald, (Glen.)</i>	<i>Moffatt, Hon. G.</i>	<i>Watts,</i>
<i>Chesley,</i>	<i>McLean,</i>	<i>Robertson,</i>	<i>Yule.—9.</i>
<i>Foster,</i>			

NOES.

<i>Armstrong,</i>	<i>Child,</i>	<i>Hopkins,</i>	<i>Quesnel,</i>
<i>Aylwin,</i>	<i>Christie,</i>	<i>MacNab, Sir A. N.</i>	<i>Raymond,</i>
<i>Baldwin,</i>	<i>Cook,</i>	<i>McDonald, (Pres.)</i>	<i>Roblin,</i>
<i>Barthe,</i>	<i>Daly, Hon. D.</i>	<i>Merritt,</i>	<i>Small,</i>
<i>Berthelot,</i>	<i>Day, Hon. C.D.</i>	<i>Moore,</i>	<i>Smith, (Fron.)</i>
<i>Black,</i>	<i>Delisle,</i>	<i>Morin,</i>	<i>Steele,</i>
<i>Borne,</i>	<i>De Salaberry,</i>	<i>Morris,</i>	<i>Strachan,</i>
<i>Boswell,</i>	<i>Draper, Hon. W.H.</i>	<i>Neilson,</i>	<i>Taché,</i>
<i>Boutillier,</i>	<i>Dunn, Hon. J.H.</i>	<i>Parent,</i>	<i>Taschereau,</i>
<i>Buchanan,</i>	<i>Duggan,</i>	<i>Parke,</i>	<i>Thorburn,</i>
<i>Burnet,</i>	<i>Durand,</i>	<i>Pocell,</i>	<i>Viger, Hon. D.B.</i>
<i>Cameron,</i>	<i>Harrison, Hon. S.B.</i>	<i>Price,</i>	<i>Woods.—48.</i>

Bill passed So it passed in the negative.

The question being then put upon the main motion, it was agreed to by the House, and—
Resolved, accordingly.

Ordered—That Mr. *Armstrong* do carry the said Bill to the Legislative Council and desire their concurrence.

Bill sent to Legislative Council.

Ordered—That the Petition of the Reverend *William Anderson*, and others, of *William Henry*, presented to the House on the 27th of *July* last, be referred to a Committee of the whole House on the Bill to repeal certain Acts therein mentioned, and to make provision for the establishment and maintenance of Common Schools throughout this Province.

Petition of the Reverend Wm. Anderson and others, referred to Committee of whole on Common School Bill.

Ordered—That the Petition of the inhabitants of *Charleston, Hatley*, and its neighbourhood, in the County of *Stanstead*, presented to the House on the 28th of *June* last, be referred to the said Committee.

Petition of inhabitants of Charleston, Hatley &c., referred to same Committee.

Ordered—That the Petition of *James George*, Moderator of the Synod of the *Presbyterian Church of Canada*, in behalf of the said Church, presented to the House on the 28th of *July* last, be referred to the said Committee.

Petition of James George, moderator of Presbyterian Church in Canada referred to same Committee.

Ordered—That the Petition of the Reverend *Edward Black*, and others, of the City of *Montreal*, presented to the House on the 19th of *July* last, be referred to the said Committee.

Petition of Reverend Edward Black and others, referred to same Committee.

Ordered—That the Petition of *Nicholas Gifford*, and others, of the *Ottawa* District, presented to the House on the 27th of *July* last, be referred to the said Committee.

Petition of Nicholas Gifford, and others, referred to same Committee.

Ordered—That the Petition of *William Cox, Ezra Annis*, and others, of the Township of *Whitby*, presented to the House on the 2d instant, be referred to the said Committee.

Petition of W. Cox Ezra Annis and others, referred to same Committee.

Ordered—That the Petition of the Ministers and Members of the Church of *England*, at *Rivière du Loup*, presented to the House on the 12th of *July* last, be referred to the said Committee.

Petition of Ministers and Members of Church of England at Rivière du Loup, referred to said Committee.

Ordered—That the Petition of the Clergyman and Members of the Church of *England*, resident in *St. Armand, West*, presented to the House on the 24th of *June* last, be referred to the said Committee.

Ditto of ditto in St. Armand West, referred to same Committee.

Ordered—That the Petition of the Reverend *William Abbott*, Rector of *St. Andrews, Ottawa* River, and of the members of his congregation, presented to the House on the 9th instant, be referred to the said Committee.

Petition of Reverend William Abbott, and others, of Saint Andrews, referred to same com.

Ordered—That the Petition of the Reverend *Andrew Balfour*, and others, residents of the Township of *Shefford*, presented to the House on the 6th of *July* last, be referred to the said Committee.

And Petition of Reverend Andrew Balfour and others, of Shefford, referred to same Committee.

Ordered—That the Petition of *J. W. Woolsey*, Esquire, and others, of *Quebec*, presented to the House on the 23d of *July* last, be referred to the Committee of the whole House to consider the expediency of addressing His Excellency, the Governor General, to grant a free pardon for all offences committed during the late political disturbances in *Upper* and *Lower Canada*.

Petition of J. W. Woolsey, Esq. and others, referred to Committee of whole on address for free pardon for political offences.

Ordered—That the Petition of *Joseph Milburn*, of the Township of *York, Home* District, be referred to the Special Committee to which was referred the Petition of *Peter Leppard*, of *East Guvillimbury, Home* District, and other references.

Petition of Joseph Milburn referred to Committee on petition of Peter Leppard.

On motion of Mr. *Cartwright*, seconded by Mr. *Strachan*,

Resolved—That the Petition of the Commissioners of the *Midland* District Turnpike Trust, presented to the House on the 4th instant, be re-

Petition of Commissioners Midland District turnpike trust,

Bill referred to Select Committee

referred to a select Committee, composed of the Honourable Mr. *Harrison*, Mr. *Henry Smith*, the Honourable Mr. *Killaly*, and Mr. *Roblin*, to examine the contents thereof, and to report thereon with all convenient speed, by Bill or otherwise ; with power to send for persons, papers, and records.

Petition of A. D. Fordyce, and others, referred to a Select Committee

Ordered—That the Petition of *A. Dingwall Fordyce*, and others, Magistrates and Freeholders, in the District of *Wellington*, presented to the House on the 5th of *July* last, be referred to the select Committee to which was referred the Petition of *A. Dingwall Fordyce*, and others, Magistrates and Freeholders, of the District of *Wellington*, praying to confirm the settlement of the debt between the *Gore* and *Wellington*, Districts.

Petition of John Bonner and William Petry of Quebec referred to Committee.

Resolved—That the Petition of *John Bonner* and *William Petry*, of *Quebec*, presented to the House on the 20th of *July* last, be referred to a Committee of five Members, to examine the contents thereof and report thereon, with all convenient speed ; with power to send for persons, papers, and records.

Committee formed

Ordered—that Mr. *Neilson*, Mr. *Aylwin*, Mr. *Burnet*, Mr. Attorney General *Ogden*, and the Honourable Mr. *Daly*, do compose the said Committee.

Petition of Justices of Peace Home District referred to select Committee

On motion of Mr. *Buchanan*, seconded by Mr. *Thorburn*,
Resolved—That the Petition of the Justices of the Peace of the *Home* District, presented to the House on the 6th instant, be referred to a select Committee composed of Mr. *Prier*, Mr. *Small*, Mr. *Duggan*, and Mr. *Baldwin*, to examine the contents thereof and report thereon, with all convenient speed ; with power to send for persons, papers, and records.

Petition of James B. Ecart, and others, referred to select Committee

On motion of Mr. *Durand*, seconded by Mr. *Baldwin*,
Resolved—That the Petition of *James B. Ecart*, and others, of the Townships of *West Flamborough*, *Beverly*, and other places, presented to the House on the 13th of *July* last, be referred to a select Committee, composed of Mr. *Hopkins*, Mr. *Harmunus Smith*, Mr. *Merritt*, and Mr. *Thorburn*, to examine the contents thereof, and report thereon with all convenient speed, by Bill or otherwise ; with power to send for persons, papers, and records.

Criminal justice bill reported amended

Mr. *Black*, from the special Committee to which was referred the Bill for improving the administration of Criminal Justice in this Province, reported that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table.

Bill to be referred to a Committee of the whole on Monday next.

Ordered—That the said Bill and report be referred to a Committee of the whole House on *Monday* next.

Offence against the person bill reported amended.

Mr. *Black*, from the special Committee to which was referred the Bill for consolidating and amending the Laws in this Province relative to offences against the person, reported that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table.

Bill and report referred to Committee of the whole on criminal justice bill

Ordered—That the said Bill and report be referred to the Committee of the whole House on the Bill for improving the administration of Criminal Justice in this Province.

Committee on petitions of John De Cow and others, D. H. C. and others, and W. Nelles and others, present report

Mr. *Thompson*, from the select Committee to which were referred the Petitions of *Warner Nelles*, and others, Inhabitants of the County of *Haldimand* ; of *John De Cow*, and others, Inhabitants of the County of *Haldimand* ; and of *Daniel Hower*, and others, of the Township of *Walpole*, County of *Haldimand*, with power to report by Bill or otherwise, presented to the House the report of the said Committee, which was again read at the Clerk's table, as followeth :—

"Your Committee have carefully examined the prayer of the Petitioners, and are decidedly of opinion that the county of *Haldimand*, which at present forms part of the District of *Niagara*, should be separated therefrom, and erected into an independent District, with *Cayuga* for the District Town.

Report.

The great distance which the petitioners and others are obliged to travel, to attend the Courts at the Town of *Niagara*, is a very great inconvenience, from which Your Committee conceive they ought to be relieved. The natural resources of the said County are very great, and though its population at the present time is not large, yet it possesses advantages amply sufficient, in the opinion of Your Committee, to entitle it to be set apart as a separate District.

Your Committee have therefore prepared a Bill for that purpose—a draft of which they beg to report for the consideration of Your Honourable House; and should this measure be adopted, Your Committee respectfully recommend that the District thereby constituted may be permitted to share in the advantages to be bestowed by the Bills now before Your Honourable House, to establish municipal authorities in the several Districts, and to regulate the future recovery of small debts, (if those Bills become law) immediately upon their going into operation."

Mr. *Thompson* then presented to the House a Bill to erect the County of *Haldimand* into a separate District, by the name of the District of *Manchester*, which was received and read for the first time.

Haldimand District Bill brought in and read first time.

Ordered—That the said Bill be read a second time on *Monday* the 23d instant.

Second reading Monday 23rd instant.

Mr. *Holmes*, from the Special Committee to which were referred the Petition of *Joseph Masson*, and others, of *Toronto*; the Petition of *W. B. Jarvis*, and others, of the City of *Toronto*; and the Petition of the Mayor, Aldermen and Commonalty of the City of *Toronto*, and other references, with power to report by Bill or otherwise, presented to the House a Bill to incorporate a Company under the style and title of the "City of *Toronto* Gas Light and Water Company," which was received and read for the first time.

Special Committee on petitions of Joseph Masson and others, W. B. Jarvis, and others, Mayor, Aldermen and Commonalty of Toronto, and other references, report Toronto Gas light and water Company bill which was read first time.

Ordered—That the said Bill be read a second time on *Wednesday* the 18th instant.

Second reading Wednesday 18 Instant.

Mr. *Merritt*, from the select Committee appointed to examine into the prices paid, and the methods adopted for the transit of products on the different communications within this Province, and to whom was referred the Message of His Excellency, the Governor General, in answer to the Address of the House of the 14th of *July* last, on the subject of an Address of the House of Assembly of *Upper Canada*, relating to the introduction of products of the Province into the Ports of *Great Britain* free of any duty—with an instruction to take into consideration all matters relating to the agriculture and commerce of this Province, with power to report from time to time—presented to the House the first Report of the said Committee, which was again read at the Clerk's table, as followeth:

Select Committee on transit of Products, within the Province and on message of His Excellency the Governor General on introduction of the same into the ports of Great Britain, free of duty, present report.

"Your Committee fully concur in the opinions expressed in the several Addresses from the Assembly of the late Province of *Upper Canada*, praying for the admission of the products of *Canada* into the Ports of *Great Britain* free from duty—a measure which would not only place Her Majesty's subjects in this Province on equal terms with other portions of Her Empire, but establish a fixed and certain policy—promote the mutual prosperity of both, and ensure their connexion for all time to come."

Report.

Ordered—That the said report be referred to a Committee of the whole House on *Friday* next.

Report to be referred to Committee of whole on Friday next.

Order of day for House in Committee on claim of Christopher Leggo, revived for Friday next.

On motion of Mr. *Morris*, seconded by Mr. *Crane*,
Ordered—That the Order of the day for the House in Committee on the Report of the Special Committee to which was referred the return to an Address of this House of the 6th of *July* last, relative to the claim of *Christopher Leggo*, of *Brockville*, lost by the adjournment of *Friday* last, be revived, and that this House will, on *Friday* next, resolve itself into the said Committee.

Bill for the establishment of savings Banks brought in and read first time.

Ordered—That Mr. *Holmes* have leave to bring in a Bill to encourage the establishment of, and to regulate, Savings Banks in this Country. He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Second reading Wednesday 18th Instant.

Ordered—That the said Bill be read a second time on *Wednesday* the 18th instant.

Order of the day for second reading Sydenham Mountain Road company bill revived for to-morrow.

On motion of Mr. *Durand*, seconded by Mr. *Hopkins*,
Ordered—That the Order of the day of the 6th of *July* last, for the second reading of the Bill to establish a Company by the name of the "*Sydenham Mountain Road Company*," be revived, and that the said Bill be read a second time to-morrow.

Order of day for Committee of whole on second report of Special Committee on Clerk's officers, revived and made first Order for to-morrow.

On motion of Sir *Allan McNab*, seconded by Mr. *Cartwright*,
Ordered—That the Order of the day for the House in Committee on the second Report of the Special Committee appointed to enquire what assistance it will be necessary to afford to the Clerk, and what offices and departments it will be expedient to establish, for the effective and orderly conduct of the business of this House, lost by the adjournment of the House of *Monday*, the 2d instant, be revived; and that this House will, to-morrow, resolve itself into the said Committee, and that it be then the first Order of the day.

Address to His Excellency the Governor General for copy of instructions.

On motion of Sir *Allan McNab*, seconded by Mr. *Cartwright*,
Resolved—That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House a copy of the instructions he received from Her Majesty's Government, upon His assuming the Government of Her Majesty's Dominions in *British North America*.

Ordered—That the said address be presented to His Excellency, by such Members of this House as are of the Honourable the Executive Council, of this Province.

Address to His Excellency the Governor General, for instructions to Sir George Arthur

On Motion of Sir *Allan MacNab*, seconded by Mr. *Cartwright*,
Resolved—That an humble address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House, a copy of the instructions received by Sir *George Arthur*, upon his assuming the Government of *Upper Canada*.

Ordered—That the said address be presented to His Excellency by such Members of this House as are of the Honourable the Executive Council of this Province.

House to go into committee of whole on Monday next on Ordinance relating to Rail Road from Montreal to Coteau-du-Lac

On motion of Mr. *Holmes*, seconded by Mr. Solicitor General *Day*,
Resolved—That this House will, on *Monday* next, resolve itself into a Committee of the whole House, to take into consideration the expediency of amending the Ordinance of the Special Council of the 14th VICTORIA, chapter 41, authorising the formation of a Rail Road from *Montreal* to *Coteau-du-Lac*.

Address to His Excellency the Governor General for state-

On motion of Mr. *Johnston*, seconded by Mr. *Donald McDonald*,
Resolved—That an humble address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to

cause to be laid before this House a statement of the moneys expended by the Board of Health in *Bytown*, in the years 1832 and 1834.

ment of expenses of Board of Health at Bytown

Ordered—That the said Address be presented to His Excellency by such Members of this House as are of the Honourable the Executive Council of this Province.

On motion of Mr. *Chesley*, seconded by Mr. *McLean*,

Resolved—That an humble address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House, copies of any report or correspondence had from the Commissioners appointed for improving the navigation of the River *Saint Lawrence*, relative to that work, since the month of *January*, 1839,

Address to be sent to His Excellency, the Governor General, for copy of report from St. Lawrence Commissioners.

Ordered—That the said address be presented to His Excellency by such Members of this House as are of the Honourable the Executive Council of this Province.

On motion of Mr. *Dunscomb*, seconded by Mr. *Holmes*,

Resolved—That this House will, to-morrow, resolve itself into a Committee of the whole House, to consider the expediency of repealing an Act passed by the Parliament of *Upper Canada*, in the 7th year of the Reign of GEORGE the fourth, entitled "*An Act to make further and more effectual provision for the prevention of accidents by fire in the several Police Towns of this Province*," with a view to extend the provisions of the same throughout the Province.

House will go into Com. of whole to-morrow, on repealing Bill for preventing accidents by fire.

On motion of Mr. Solicitor General *Day*, seconded by the Honourable Mr. *Harrison*.

Committee on expiring laws appointed.

Resolved—That a select Committee, composed of Mr. Attorney General *Draper*, Mr. *Black*, Mr. *Quesnel*, Mr. *Neilson*, Mr. *Boswell*, and Mr. *Thorburn*, be appointed to inquire what Statutes and Ordinances now in force in this Province, or in any part thereof, are about to expire, and ought to be continued, and to report thereon from time to time.

On motion of Mr. Solicitor General *Day*, seconded by the Honourable Mr. *Harrison*,

Resolved—That this House will, on *Thursday* next, resolve itself into a Committee of the whole House to take into consideration the expediency of vesting the control and management of certain Light Houses, and other Public Works in this Province, in the Board of Works, and of-amending or repealing certain Acts relating thereto.

House will go into Com. of whole on control of Light Houses on Thursday next.

Mr. *Durand*, from the Committee of the whole House, on the Bill to regulate the Fisheries in the District of *Gaspé*, reported, according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Gaspé fisheries Bill, reported amended, and ordered to be engrossed.

Ordered—That the said Bill, as amended, be engrossed.

The Order of the day for the House in Committee on the Bill to repeal certain Acts, therein mentioned, and to make provision for the establishment and maintenance of Common Schools throughout this Province, and on the several Petitions referred to the said Committee, being read,

On motion of Mr. Solicitor General *Day*, seconded by the Honourable Mr. *Harrison*,

Ordered—That the said Order of the day be discharged and that the said Bill and Petitions be referred to a select Committee, composed of Mr. *Neilson*, Mr. *Simpson*, Mr. *Cartwright*, the Honourable Mr. *Moffatt*, Mr. *Cameron*, Mr. *Quesnel*, Mr. *Dunscomb*, Mr. *Merritt*, Mr. *Aylwin*, Mr. *Christie*, Mr. *Morin*, Mr. *Parke* Mr. *Child*, Mr. *Thorburn*, Mr. *Hincks*,

Order of day for House in Com. on Common School Bill discharged, and bill referred to a Select Committee.

Mr. *Prince*, Mr. *Parent*, Mr. *Robertson*, Mr. *Holmes*, Mr. *Foster*, and Mr. *Berthelot*, to report thereon with all convenient speed with power to send for persons, papers, and records.

The House goes into Committee on Municipal Corporation Bill.

The Order of the day for the House in Committee on the Bill to provide for the internal Government of that part of this Province heretofore *Upper Canada*, by the establishment of local or Municipal authorities therein, and on the instruction to the said Committee, being read,

The House according resolved itself into the said Committee.

Mr. *Hopkins*, took the Chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the Chair,

Progress

And Mr. *Hopkins*, reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Sit again Thursday.

Ordered—That the said Committee have leave to sit again, on *Thursday* next.

And the House having continued to sit till after twelve of the clock, on *Wednesday* morning.

Mercurii, 11^o die Augusti, 1841.

Order of day for House in Com. of whole on Heir and Devise laws postponed 'till to-morrow.

The Order of the day of yesterday for the House in Committee on the Bill to amend and consolidate the Several Acts of the Legislature of *Upper Canada*, passed for the relief of persons claiming lands under the nominees of the Crown, in cases where no Patent hath issued for such lands, being read,

Ordered—That the said Order of the day be postponed until to-morrow.

Trinity House Quebec Bill, read second time and ordered to be referred to a select committee

A Bill to repeal and amend in part, certain Acts, and a certain Ordinance, therein mentioned, and to extend the powers and to increase the Funds of the Corporation of the Trinity House of *Quebec*, was, according to order, read a second time.

On motion of the Honourable Mr. *Daly*, seconded by the Honourable Mr. *Harrison*,

Resolved—That the said Bill be referred to a select Committee, composed of Mr. *Black*, the Honourable Mr. *Moffatt*, the Honourable Mr. *Viger*, Mr. *Burnet*, Mr. *Holmes*, and Mr. *Neilson*, to report thereon with all convenient speed; with power to send for persons, papers, and records.

Order of the day for second reading District Court Bill postponed to Thursday next.

The Order of the day of yesterday for the second reading of the Bill to alter and amend the Laws now in force in that part of this Province, formerly called *Upper Canada*, regulating the District Courts, being read,

Ordered—That the said Order of the day be postponed until *Thursday* next.

Order of the day for second reading Welland Canal Stock Bill, postponed 'till Thursday next.

The Order of the day of yesterday for the second reading of the Bill to authorize the stock held by private parties in the *Welland* Canal to be purchased on behalf of the Province, being read,

Ordered—That the said Order of the day be postponed until *Thursday* next.

Order of day for House in com. on census Bill postponed 'till Thursday next

The Order of the day of yesterday for the House in Committee on the Bill to repeal certain parts of an Act therein mentioned, and to provide for taking a periodical census of the inhabitants of this Province, and for obtaining the other statistical information therein mentioned, being read.

Ordered—That the said Order of the day be postponed until *Thursday* next.

The Order of the day of yesterday for the House in Committee on the Bill for the disposal of Public Lands, being read,

Ordered—That the said order of the day be postponed until *Thursday* next.

Order of the day for House in com. on public lands bill postponed 'till Thursday next.

The Order of the day of yesterday for the House in Committee on the engrossed Bill from the Legislative Council intituled "*An Act to explain and amend an Act passed in the Provincial Parliament of Upper Canada in the seventh year of the Reign of King WILLIAM the Fourth, intituled, 'An Act to establish a Court of Chancery in this Province' and to render more effectual the said Court*" being read.

Order of day for the House in Committee on Court of Chancery Bill postponed 'till Thursday next.

Ordered—That the said Order of the day be postponed until *Thursday* next.

And then the House having continued to sit until ten minutes after 12 of the clock on *Wednesday* morning, adjourned till this day.

Mercurii, 11^o die Augusti ;

Anno 5^o Victoriae Reginae, 1841.

The following Petitions were severally brought up and laid on the table:—

By Mr. *Woods*, the Petition of *William Taylor*, and others, Freeholders of the County of *Kent*;—and the Petition of *W. Fletcher*, and others, Inhabitants of *Bear Creek*, County of *Kent*.

Petitions brought up.

Wm. Taylor and others.
W. Fletcher and others.

By Mr. *Durand*—The Petition of *T. Sandilands*, and others, inhabitants of the District of *Wellington*—the Petition of *Elam Stimson*, and others, inhabitants of the *Gore* and *Brock* Districts—and the Petition of *Jacob Gardner*, and others, of the Township of *Wilmot*, District of *Wellington*.

T. Sandilands and others.
Elam Stimson and others.
Jacob Gardner and others.

By Mr. *Hopkins*—The Petition of *James Coleman*, and others, of the Village of *Dundas*, *Gore* District.

Jas. Coleman and others.

By Sir *Allan MacNab*—The Petition of *Alpheus Todd*, of *Toronto*, Deputy Librarian to the Legislative Assembly.

Alpheus Todd of Toronto.

By Mr. *Baldwin*—The Petition of *Reuben White*, of the Township of *Sidney*, *Victoria* District.

Reuben White.

A Message from the Legislative Council, by *John Godfrey Spragge*, Esquire, Master in Chancery.

Message from Legislative Council.

MR. SPEAKER,

The Legislative Council have passed the following Bills, without any amendment:—

Several Bills passed.

"*An Act to amend the Militia Law of that part of this Province formerly constituting the Province of Upper Canada.*"

Militia Law.

"*An Act to facilitate the despatch of business in the Court of Queen's Bench of Upper Canada.*"

Queen's Bench Bill.

"*An Act to incorporate certain persons under the title of 'The Caledonia Bridge Company.'*"

Caledonia Bridge Bill.

And also,

The Legislative Council have passed a Bill, intituled "*An Act to regulate the taking of securities in all offices, in respect of which security ought to be given, and for avoiding the grant of all such offices in the*"

Bill to regulate the taking of Securities passed by Legislative Council.

“event of such security not being given within a limited time after the grant of such office,” to which they desire the concurrence of the Assembly.

And then he withdrew.

Bill read first time.

An engrossed Bill from the Legislative Council, intituled “*An Act to regulate the taking of securities in all offices in respect of which security ought to be given, and for avoiding the grant of all such offices in the event of such security not being given within a limited time after the grant of such office,*” was read for the first time.

Petitions read.

Of John A. Wilkes and others.

Pursuant to the Order of the day, the following Petitions were read :
Of *J. A. Wilkes*, and others, near the *Grand River*, in the Districts of *Gore* and *Niagara*, praying that the *Indian Tract* lying *South and South East* of *Dundas Street*, and the Townships of *Rainham* and *Walpole*, be erected into a separate District.

Of Wm. New, of Hamilton.

Of *William New*, of the Town of *Hamilton*, praying that his name may be inserted in the Petition of the contractors of the *Hamilton and Brantford* macadamized road, to be allowed interest and damages due to them—he being one of the Contractors.

Of Richard Loucks, Junior, and others.

Of *Richard Loucks*, Junior, and others, members of the *Presbyterian Congregation of Osnabruck*, praying for the introduction of the Bible as a class book in all the Schools and Colleges of this Province.

Of Jacob Hailer, and others.

Of *Jacob Hailer*, and others, inhabitants of the Townships of *Waterloo*, *Woolwich*, and other places, praying that the Petition of the Magistrates of *Guelph* and its vicinity, for the continuation of the additional Tax may not be granted.

Of Arthur Palmer and others.

Of *Arthur Palmer*, and others, members of the Board of Education for the District of *Wellington*, praying that the Holy Scriptures may be taught in all the Schools in the Province.

Of Presbyterian Congregation of South Gower.

Of the *Presbyterian Congregation of South Gower*, in connexion with the Church of *Scotland*, praying that if a new system of education be adopted, the Bible may be used as a Class Book.

Of James Mutland and others.

Of *James Mailland*, and others, inhabitants of the Township of *Marlborough*, and other places, praying for an aid of £100 to complete the erection of a Bridge across the river *Rideau*, at *Burrett's Rapids*.

Of Samuel Galloway, and others.

Of *Samuel Galloway*, and others, inhabitants of *Wentworth*, County of the *Lake of Two Mountains*, praying for an aid in support of a School in that Township.

Of Wm. Wallace and others.

Of *William Wallace*, and others, inhabitants of the Township of *Ramsay*, District of *Bathurst*, praying for an aid to make a public highway from the *St. Lawrence* to the river *Ottawa*.

Of H. Glass and others.

Of *H. Glass*, and others, Inhabitants of *Perth*, and its vicinity, praying for some enactments to suppress the evils arising from intemperance.

Petition of Presbyterian Congregation of South Gower referred to Select Committee on Common Schools.

Ordered—That the Petition of the *Presbyterian Congregation, of South Gower*, in connection with the Church of *Scotland*, be referred to the select Committee to which is referred the Bill to repeal certain Acts therein mentioned, and to make provision for the establishment and maintenance of Common Schools, throughout this Province, and other references.

Petition of Malcolm Fraser and others, referred to same Committee.

Ordered—That the Petition of *Malcolm Fraser*, and others, *Protestant* Inhabitants of *River-du-Loup*, District of *Quebec*, presented to the House on the 5th *July* last, be referred to the said Committee.

Petition of Rev William Brethour and others, referred to same Committee.

Ordered—That the Petition of the Reverend *William Brethour*, and others, Members of the Church of *England*, of the County of *Beauharnois*, presented to the House on the 5th of *July* last, be referred to the said Committee.

Ordered—That the Petition of the Clergy and Members of the Church of *England*, in *Melbourne* and other places, presented to the House on the 5th of *July* last, be referred to the said Committee.

Petition of Clergy and members of Church of Eng. in Melbourne, and other places, referred to said Committee.
Petition of Bishop of Montreal and others, referred to same Committee.

Ordered—That the Petition of the right Reverend the Bishop of *Montreal*, and others of *Quebec*, presented to the House on the 14th of *July* last, be referred to the said Committee.

Ordered—That the Petition of *Richard Loucks*, Junior, and others, Members of the *Presbyterian* Congregation of *Osnabruck*, be referred to the said Committee.

Petition of Richard Loucks & others, referred to said Committee.

On motion of Mr. *Durand*, seconded by Mr. *Baldwin*,

Resolved—That the Petition of *Jacob Hailer*, and others, Inhabitants of the Townships of *Waterloo*, *Woolwich*, and other places, be referred to a select Committee composed of Mr. *Price*, Mr. *Hopkins*, Mr. *Harmanus Smith*, and Mr. *Thorburn*, to examine the contents thereof, and report thereon with all convenient speed, with power to send for persons, papers, and records.

Petition of Jacob Hailer and others, referred to select Committee.

On motion of Mr. *Harmanus Smith*, seconded by Mr. *Durand*,

Resolved—That the Petition of the Fire Company and of the Magistrates of the Town of *Brantford*, presented to the House on the 23rd of *July* last, be referred to a select Committee, composed of Mr. *Durand*, Mr. *Price*, Mr. *Parke*, and Mr. *Powell*, to examine the contents thereof, and report thereon with all convenient speed, by Bill or otherwise; with power to send for persons, papers, and records.

Petition of Fire Company & Magistrates of Brantford, referred to Select Committee.

On motion of Sir *Allan MacNab*, seconded by Mr. *Thorburn*,

Ordered—That the select Committee to which was referred the Petition of *A. Dingwall Fordyce*, and others, Magistrates and Freeholders of the District of *Wellington*, be discharged from the further consideration of the said Petition, and that it be referred to a select Committee, composed of Mr. *Baldwin*, Mr. *Cartwright*, Mr. *Aylwin*, and the Honourable Mr. *Dunn*, to examine the contents thereof, and to report thereon with all convenient speed, with power to send for persons, papers, and records.

Committee on Petition of A. Dingwall Fordyce, and others, discharged and Petition referred to another Committee.

Mr. *Black*, from the special Committee to which was referred the Bill for consolidating and amending the Laws in this Province relative to Larceny, and other offences connected therewith, reported that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table.

Larceny Bill reported amended and referred to Committee of whole on Bill on Administration of Justice.

Ordered—That the said Bill and report be referred to the Committee of the whole House on the Bill for improving the administration of Justice in this Province.

Mr. *Black*, from the Special Committee to which was referred the Bill for consolidating and amending the Laws in this Province relative to malicious injuries to property, reported that the Committee had gone through the Bill, and had made several amendments thereto which amendments were again read at the Clerk's table.

Malicious Injuries to Property Bill reported amended, and referred to Committee of whole on Criminal Justice Bill.

Ordered—That the said Bill and report be referred to the Committee of the whole House on the Bill for improving the administration of Criminal Justice in this Province.

Mr. *Durand*, from the select Committee to which was referred the Petition of *A. Dingwall Fordyce*, and others, Magistrates and Freeholders of the District of *Wellington*, praying to confirm the settlement of the debt between the *Gore* and *Wellington* Districts; with power to report by Bill or otherwise, presented to the House a Bill to confirm a certain ar-

District of Gore and Wellington Settlement Bill reported and read 1st time.

rangement entered into by the Magistrates of the Districts of *Gore* and *Wellington*, which was received and read for the first time.

Second reading Monday next.

Ordered—That the said Bill be read a second time on *Monday* next.

Address to be sent to His Excellency for Statement of Salaries borne on incomes of the Canadas from 1st October 1839 to 10th February 1841 and since.

On motion of the Honourable Mr. *Moffatt*, seconded by Mr. *Black*,
Resolved—That an humble address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House, a detailed statement of all salaries borne on the Income of *Lower Canada*, from whatever source derived, between the 1st of *October*, 1839, and the 10th of *February*, 1841: a similar statement of all salaries borne on the Income of *Upper Canada*, from whatever source derived, for the same period: and a similar statement of all salaries borne on the consolidated Income of the Province of *Canada* on and since the said 10th of *February* last.

Ordered—That the said Address be presented to His Excellency by such Members of this House as are of the Honourable the Executive Council of the Province.

Address to His Excellency the Governor General for Copy of Correspondence in case of dismissal of R. Berric, Esq.

On motion of Sir *Allan MacNab*, seconded by Mr. *Thorburn*,
Resolved—That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House Copy of all correspondence passed on the occasion of the dismissal of *Robert Berric*, Esquire, from his Office of Clerk of the Peace, for the District of *Gore*.

Ordered—That the said Address be presented to His Excellency by such Members of this House as are of the Honourable the Executive Council of this Province.

Physic and Surgery Bill read 2nd time, and ordered to be engrossed.

A Bill to enable persons authorized to practice Physic or Surgery in *Upper* or *Lower Canada* to practice in the Province of *Canada*, was, according to order, read a second time.

Ordered—That the said Bill be engrossed.

Woodstock limits bill read 2nd time, and ordered to be engrossed.

A Bill to extend and define the limits of the Town of *Woodstock*, in the District of *Brock*, was, according to order, read a second time.

Ordered—That the said Bill be engrossed.

Property injury bill read 2nd time, and referred to a Select Committee.

A Bill for more effectually preventing wicked and malicious persons from injuring or destroying real and personal property, was, according to order, read a second time.

Mr. *Williams* moved, seconded by Mr. *Boswell*, that the said Bill be referred to a select Committee, composed of Mr. *Black*, Mr. *Baldwin*, Mr. *Price*, and Mr. *Neilson*, to report thereon with all convenient speed, with power to send for persons, papers, and records.

The question having been put upon the said motion, a division ensued, and it was carried in the affirmative.

Resolved accordingly.

Ordered—That Mr. Attorney General *Draper*, and Mr. *Aylwin*, be added to the said Committee.

Boundary line Commissioners bill read a 2nd time, and referred to a Select Committee.

A Bill to repeal an Act passed in the fifth Session of the Parliament of the late Province of *Upper Canada*, intituled "*An Act to alter and amend an Act passed during the third Session of the present Parliament, entitled 'An Act to authorize a Board of Boundary Line Commissioners within the several Districts of this Province, and to make further provisions therein,'*" was, according to order, read a second time.

On motion of Mr. *Roblin*, seconded by Mr. *Güchrist*,

Resolved—That the said Bill be referred to a select Committee, composed of Messieurs *Thorburn*, *Morris*, *Chesley*, *Watts*, *Merritt* and *Mc*

Lean, to report thereon will all convenient speed; with power to send for persons, papers, and records.

A Message from the Legislative Council, by *John Godfrey Spragge*, Esquire, Master in Chancery.

LEGISLATIVE COUNCIL, 11th DAY OF AUGUST, 1841.

Ordered—That the Master in Chancery do go down to the Legislative Assembly, and acquaint that House that the Legislative Council have agreed to the Petitions sent up by the Assembly, on the Timber Trade, and that the blanks have been filled up with the words “Legislative Council.”

Ordered—That a joint Committee be requested to prepare an Address to His Excellency, the Governor General, to accompany the said Petitions; and that this House have appointed two of their members to be a Committee, on the part of this House, who will be ready to meet the Committee of the Legislative Assembly, in the joint Committee Room, to-morrow, at two o'clock, in the afternoon.

Attest,

JAMES FITZGIBBON,

Clerk Leg. Council.

And then he withdrew.

Resolved—That a Committee of four members be appointed to meet the Committee of the Honourable the Legislative Council appointed to prepare an Address to His Excellency the Governor General to accompany the Petitions sent up by this House, on the subject of the Timber Trade, conformably to the Message received from their Honours this day.

Ordered—That Mr. *Neilson*, Mr. *Black*, Mr. *Cameron* and Mr. *Johnston* do compose the said Committee.

The Order of the day for the second reading of the Bill to regulate the admission of persons to the Notarial Profession, in that part of the Province called *Lower Canada*, being read,

Ordered—That the said Order of the day be postponed until *Monday* next.

The Order of the day, for the House in Committee, on the Bill to amend the Ordinance of the third VICTORIA, Chap. 31, for the improvement of the roads in the neighbourhood of, and leading to, the City of *Montreal* being read,

Ordered—That the said Order of the day be postponed until *Friday* next.

A Bill to alter and amend an Act of the Legislature of *Upper Canada*, intituled “*An Act to provide for the laying out, amending and keeping in repair, the Public Highways and Roads in this Province, and to repeal the Laws now in force for that purpose*,” was, according to order, read a second time.

Ordered—That the said Bill be referred to a Committee of the whole House on *Friday* next.

A Bill to establish a Company by the name of the “*Sydenham Mountain Road Company*,” was, according to order, read a second time.

Ordered—That the said Bill be referred to a Committee of the whole House on *Friday* next.

The Order of the day for the House in Committee, on the second Report of the Special Committee appointed to enquire what assistance it will be necessary to afford to the Clerk, and what offices and departments

Message from Legislative Council.

Petitions to the Queen, Lords, and Commons, on timber trade, agreed to by Legislative Council.

Joint Committee requested to prepare address to His Excellency the Governor General.

Joint Committee acceded to and appointed on the part of this House.

Order of the day for 2nd reading Notaries bill postponed till Monday.

Order of day for com. of whole on Montreal roads bill postponed till Friday next.

Highway bill read 2nd time, and to be referred to com. of whole on Friday next.

Sydenham Mountain road bill read 2nd time, and to be referred to com. of whole on Friday next.

House goes into com. of whole on 2nd report of Special com. on Clerk's office.

	it will be expedient to establish, for the effective and orderly conduct of the business of this House, being read, The House accordingly resolved itself into the said Committee. Mr. <i>Fule</i> took the chair of the Committee, and after some time spent therein, Mr. Speaker resumed the chair, And Mr. <i>Fule</i> reported that the Committee had made some progress, and had directed him to move for leave to sit again. <i>Ordered</i> —That the said Committee have leave to sit again on <i>Friday</i> next.
Progress.	
Sit again on Friday next.	
House goes into com. of whole on currency bill	The Order of the day, for the House in Committee, on the Bill to regulate the currency of this Province, being read, The House accordingly resolved itself into the said Committee. Mr. <i>Cook</i> took the chair of the Committee, and after some time spent therein, Mr. Speaker resumed the chair, And Mr. <i>Cook</i> reported that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table, and agreed to by the House. <i>Ordered</i> —That the said Bill, as amended, be engrossed.
An en banc meeting and agreed to	
Bill to be engrossed.	
House goes into com. of whole on Simcoe Gaol and Court House bill.	The Order of the day for the House in Committee, on the Bill to increase the sum which may be raised, under a certain Act therein mentioned, for defraying the cost of certain public buildings, in the County of <i>Simcoe</i> , being read, The House accordingly resolved itself into the said Committee. Mr. <i>Crane</i> took the chair of the Committee, and after some time spent therein, Mr. Speaker resumed the chair, And Mr. <i>Crane</i> reported that the Committee had gone through the Bill, and had made an amendment thereto, which he was directed to report to the House whenever it shall be pleased to receive the same. <i>Ordered</i> —That the Report be received on <i>Friday</i> next.
Bill reported amended Report to be received on Friday.	
Order of day for Com. of whole on copy right bill discharged, and bill referred to a Select Committee.	The Order of the day for the House in Committee on the Bill for the protection of Copy Rights, in that part of the Province formerly constituting <i>Upper Canada</i> , being read, On motion of Mr. <i>Williams</i> , seconded by Mr. <i>Thorburn</i> , <i>Ordered</i> —That the said Order of the day be discharged, and that the said Bill be referred to a select Committee, composed of Mr. Solicitor General <i>Day</i> , Mr. <i>Black</i> , Mr. <i>Holmes</i> and Mr. <i>Morin</i> , to report thereon with all convenient speed, with power to send for persons, papers and records; and that it be an instruction of the said Committee to extend the provisions of the said Bill to the Province of <i>Canada</i> .
House goes into com. of whole on Montreal Board of Trade bill	The Order of the day for the House in Committee on the Bill to incorporate the <i>Montreal</i> Board of Trade, being read, The House accordingly resolved itself into the said Committee. Mr. <i>Williams</i> took the chair of the Committee, and after some time spent therein, Mr. Speaker resumed the chair, And Mr. <i>Williams</i> reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House whenever it shall be pleased to receive the same. <i>Ordered</i> —That the Report be received to-morrow.
Bill reported amended.	
And report to be received to-morrow.	
House in com. on Haldimand Glass Works bill.	The Order of the day for the House in Committee, on the Bill to establish a Company, to be called "The Haldimand Glass Works Company," being read,

The House accordingly resolved itself into the said Committee.

Mr. *Roblin* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Roblin* reported that the Committee had gone through the Bill, without making any amendment thereto, and the Report was again read at the Clerk's table.

Bill reported without amendment, and ordered to be engrossed.

Ordered—That the said Bill be engrossed.

The Order of the day for the House in Committee; to consider the expediency of repealing an Act passed by the Parliament of *Upper Canada*, in the seventh year of the Reign of GEORGE the Fourth, intituled "*An Act to make further and more effectual provision for the prevention of accidents by Fire in the several Police Towns of this Province,*" with a view to extend the provisions of the same throughout the Province, being read,

House to go into com. on bill to prevent accidents by fire.

The House accordingly resolved itself into the said Committee.

Mr. *Durand* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Durand* reported that the Committee had come to a Resolution, which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth :

Resolution reported and agreed to.

Resolved—That it is expedient, and desirable, to repeal an Act, passed in the Parliament of *Upper Canada*, in the seventh year of the reign of King GEORGE the Fourth, intituled "*An Act to make further and more effectual provision from the prevention of accidents by fire in the several Police Towns of this Province,*" and to take measures to extend similar provisions to the Province of *Canada*.

Resolution.

Ordered—That Mr. *Dunscomb* have leave to bring in a Bill to repeal a certain Act, therein mentioned, and to exempt the Members, of Companies of Firemen, lawfully established, from serving as Jurors, and in the Militia, except in certain cases.

Fire Companies Bill brought in and read first time.

He accordingly presented the said Bill to the House, and the same was received and read, for the first time.

Ordered—That the said Bill be read a second time on *Friday* next.

Second reading *Friday* next.

The Order of the day for the House in Committee, on the Bill to amend and consolidate the several Acts of the Legislature of *Upper Canada*, passed for the relief of persons claiming lands, under the nominees of the Crown, in cases where no Patent hath issued for such Lands, being read,

House in Committee on Heir and Devisee Bill.

The House accordingly resolved itself into the said Committee.

Mr. *Armstrong* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Armstrong* reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Bill reported amended.

Ordered—That the Report be received to-morrow.

Then, on motion of the Honourable Mr. *Viger*, seconded by Mr. *Baldwin*,

The House adjourned.

Jovis, 12^o die Augusti ;

Anno 5^o Victoriae Reginae, 1841.

Petitions brought up.

The following Petitions were severally brought up and laid on the table:—

Sister M. M. Huot,
Superior of St. Hyacinthe Hospital.

By Mr. *Bouillicr*—The Petition of *Sister M. M. Huot*, Superior of the Hospital of *St. Hyacinthe*, County of *St. Hyacinthe*.

Chs. Currie and others

By Mr. *Robertson*, the Petition of *Charles Currie*, and others, of the Gore of *Chatham*, County of the *Lake of Two Mountains*: and the Petition of the Reverend *William Muir*, and others, of the Townships of *Chatham*, and *Grenville*.

Rev. Wm. Muir and others.

Chas. Smyth, City of Albany.

By Mr. *Henry Smith*, the Petition of *Charles Smith*, of the City of *Albany*, State of *New York*, Merchant.

Rear Ad. Vansittart, of Woodstock Mechanics Institute.

By Mr. *Hincks*, the Petition of rear Admiral *Henry Vansittart*, and others, the Committee of Management of the "Woodstock Mechanics Institute."

James Black and others.

By Mr. *Black*, the Petition of *James Black*, and others, of *Quebec*.

Physic and Surgery bill read 3rd time and passed

An engrossed Bill to enable persons authorized to practice Physic or Surgery in *Upper* or *Lower Canada*, to practice in the Province of *Canada*, was read, for the third time.

Resolved—That the Bill do pass.

Bills sent to Legislative Council.

Ordered—That Mr. *Cameron*, do carry the said Bill to the Legislative Council, and desire their concurrence.

Woodstock limits bill read third time and passed.

An engrossed Bill, to extend and define the limits of the Town of *Woodstock*, in the District of *Brock*, was read for the third time.

Resolved—That the Bill do pass.

Bill sent to Legislative Council.

Ordered—That Mr. *Hincks*, do carry the said Bill to the Legislative Council, and desire their concurrence.

Petitions read.

Pursuant to the Order of the day the following Petitions were read.

Ladies of R. C. Orphan Asylum.

Of the Ladies of the Roman Catholic Orphan Asylum, of *Montreal*, praying to be incorporated as such Asylum.

Rev. Walter Roach, and others.

Of the Reverend *Walter Roach*, and Elders, of the Scotch Church, at *Beauharnois*, praying that the Scriptures may be introduced into all Schools and Seminaries, as a class book.

Of Charles De Léry, Senior of Quebec

Of *Charles De Léry*, Senior, of *Quebec*, late Senior Clerk Assistant of the Legislative Council, of *Lower Canada*, praying for a remuneration for the loss of his salaries and emoluments, and in consideration of his long services.

Of Dame Emilie Gamelin, and others.

Of Dame *Emilie Gamelin*, and others, of *Montreal*, praying for an Act of incorporation under the title of the "*Montreal Asylum for aged and infirm Women*."

Of ditto, (2)

Of Dame *Emilie Gamelin*, and others, of *Montreal*, praying that the sum of ninety pounds, sterling, may be appropriated for the support of aged and infirm Women under charge.

Of Rev. A. Balfour, and others.

Of the Reverend *A. Balfour*, and others, praying for an aid for a certain road, near the Village of *Granby*.

Of Daniel Clarke, and others.

Of *Daniel Clarke*, and others, Inhabitants of the Counties of *Glengarry*, and *Stormont*, praying for an aid for a road running through the Indian Lands.

Alexander McMartin, and others.

Of *Alexander McMartin*, and others, Inhabitants of the County of

Glengarry, Eastern District, praying for an aid to build a Bridge, across the River *Aux Raisins*.

Of *John Smyth*, of the City of *Toronto*, Surveyor, praying for a remuneration in consequence of the land he obtained, for his services, as Surveyor, being of no value.

Of John Smyth, Surveyor.

Of *Joseph Milburn*, of the Township of *York*, Home District, praying for a compensation for the injury sustained by him, in damage done to his House during the late election, of the first Riding of *York*.

Of Joseph Milburn.

Of the Reverend *Hugh Paisley*, and others, of the Parish of *St. Catharine de Tossambault*, praying for an appropriation of three hundred pounds, for a certain road.

Of Rev. Hugh Paisley

On motion of Mr. *Morris*, seconded by Mr. *Child*.

Resolved—That the Petition of *Henry Weeks*, of *Yonge*, District of *Johnstown*, presented to the House on the twenty ninth of *July* last, be referred to a select Committee, composed of the Honourable Mr. *Harrison*, Mr. *Daly*, Mr. *Holmes*, and Mr. *Roblin*, to examine the contents thereof, and report thereon, with all convenient speed; with power to send for persons, papers, and records.

Petition of Henry Weeks, referred.

On motion of the Honourable Mr. *Viger*, seconded by Mr. *Quesnel*.

Resolved—That the Petition of *Dame Emilie Gamelin*, and others, of *Montreal*, praying for an Act of incorporation, under the title of the "*Montreal Asylum for aged and infirm Women*" be referred to a Select Committee composed of Mr. *Neilson*, and Mr. *Quesnel*, to examine the contents thereof, and report thereon, with all convenient speed, by Bill or otherwise; with power to send for persons, papers, and records.

Petition of Dame Emilie Gamelin, and others, referred.

Ordered—That the Petition of the Ladies of the Roman Catholic Orphan Asylum, of *Montreal*, be referred to the said Committee.

Petition of Ladies R. C. Orphan Asylum, referred.

Ordered—That the Petition of the Reverend *Joseph Abbott*, and other Protestant Inhabitants, of the Township of *Grenville*, presented to the House on the twentieth of *July* last, be referred to the select Committee, to which was referred the Bill to repeal certain Acts therein mentioned, and to make provision for the establishment and maintenance of common Schools, throughout this Province, and other references.

Petition of the Rev. Joseph Abbott, and others, referred.

Mr. *Baldwin*, from the select Committee to which were referred the Bill, the better to provide for the freedom of elections, throughout this Province, and for other purposes therein mentioned; and the Bill, to provide for the enregistration of Persons entitled to vote at elections of Members of the Legislative Assembly, of this Province, and to make better provision for the holding of such elections, reported that the Committee had gone through the said two Bills and had made several amendments thereto, which amendments were again read at the Clerk's table.

Freedom of election bill and enregistration bill reported by Select com. with several amendments.

Ordered—That the said Bills and reports be referred to a Committee of the whole House to-morrow, and that it be then, the first order of the day.

Bills to be referred to com. of whole, to-morrow.

Mr. Speaker acquainted the House, that, in pursuance to its order, of the fourteenth of *July*, last, the Prothonotary of the Court of King's Bench, for the District of *Three Rivers*, had transmitted, to the Clerk of this House, the Poll Book for the last election of the County of *St. Maurice*.

Speaker reports receipt of Poll Book for last election for St. Maurice.

The Order of the day, for taking into consideration the Petition of divers electors of the County of *St. Maurice*, complaining of the undue Return of *Joseph Edouard Turcotte*, Esquire, as a Member for the said County, being read,

Trial of contested election, for county of St. Maurice, entered upon.

The doors of the House were shut.

Members sworn.

The following Members took, at the table, the oath prescribed by Law, namely :—

Mr. Speaker,
 Mr. *Armstrong*, Mr. *Aylwin*, Mr. *Baldwin*, Mr. *Barthe*, Mr. *Black*,
 Mr. *Borne*, Mr. *Boswell*, Mr. *Boutillier*, Mr. *Buchanan*, Mr. *Burnet*, Mr.
Cameron, Mr. *Chesley*, Mr. *Child*, Mr. *Christie*, Mr. *Cook*, Mr. *Crane*, Mr.
Delisle, Mr. *Derbshire*, Mr. *De Salaberry*, Mr. Attorney General *Draper*,
 Mr. *Duggan*, Mr. *Durand*, Mr. *Foster*, Mr. *Gilchrist*, the Hon. Mr. *Harrison*,
 Mr. *Hincks*, Mr. *Holmes*, Mr. *Hopkins*, Mr. *Johnston*, Sir *Allan MacNab*,
 Mr. *McCulloch*, Mr. *J. S. MacDonald*, Mr. *McLean*, Mr. *Moffatt*,
 Mr. *Morin*, Mr. *Morris*, Mr. *Neilson*, Mr. Attorney General *Ogden*, Mr.
Parent, Mr. *Parke*, Mr. *Powell*, Mr. *Price*, Mr. *Quesnel*, Mr. *Raymond*,
 Mr. *Robertson*, Mr. *Roblin*, Mr. *Simpson*, Mr. *Small*, Mr. *Henry Smith*,
 Mr. *Hermanus Smith*, Capt. *Steele*, Mr. *Taché*, Mr. *Thompson*, Mr. *Thornburn*,
 the Hon. Mr. *Viger*, Mr. *Watts*, Mr. *Williams*, and Mr. *Yule*.—59.

Doors opened.

The doors were then opened.

Counsel for Petitioners called, who appears at bar.

The Counsel for the Petitioners being called,
Bartholomew Conrad Augustus Gugy, Esquire, appeared at the Bar as such Counsel.

Witnesses withdraw.

The witnesses were desired by Mr. Speaker to withdraw.

Mr. Gugy addresses House.

After which, Mr. *Gugy* addressed the House on behalf of the Petitioners.

Returning Officer sworn and gives evidence.

Joseph Eustache Sicard De Carufel, Esquire, Returning Officer at the last election for the County of *St. Maurice*, was called to the Bar, and after having been duly sworn, gave the following evidence :—

Evidence of Returning Officer at late election for county of St. Maurice.

No. 1, Ques.—Was *Joseph Edouard Turcotte*, Esquire, required to make the declaration prescribed by the 28th Section of the Union Act, 3d and 4th VICTORIA, Chapter 28, at any time during the Election of the County of *St Maurice*? If so, please to say when he was required to do so, and what then occurred?—Ans.—Mr. *Turcotte* was required, by one *Pierre Dugas dit Labréche*, to make the declaration in question. Mr. *Turcotte* answered, that he was qualified, and that it was not necessary that he should qualify himself again. Nevertheless, he continued, I shall read the declaration so that he will not understand it, as he does not understand English. He then turned towards me, and asked me whether I had the Union Bill. Having it by me, I handed it to him. He then turned his back to me, and read the twenty eighth Section in question; but I cannot say whether he read it all, because there was a great deal of noise.

No. 2, Ques.—Did you hear what the said *Joseph Edouard Turcotte*, Esquire, said? for instance, did he mention his name, or the tenure by which he held his property?—Ans.—As to his name, I am not very certain; but, to the best of my knowledge, I do believe I heard him pronounce the word "*Turcotte*," but not any thing about the nature of his property.

No. 3, Ques.—In point of fact, did the said *Joseph Edouard Turcotte*, Esquire, when he so read the part of the declaration, which you heard, specifying the tenure by which he held any property, to which he then laid claim?—Ans.—I did hear him do so.

No. 4, Ques.—How did he become possessed of the Book containing the Union Act? Was it with or without your assent? Describe the manner in which he so became possessed of it?—Ans.—When he asked me for the Union Bill, he snatched it out of my hands before I gave it to him.

No. 5, Ques.—Was any violence used towards, or any threatening language addressed to you, during the said election—and if so, by whom,

and relate what occurred?—Ans.—When I began to take the votes, I wished to take them in the public room which was the place I had appointed for that purpose. Mr. *Turcotte* opposed this, saying, that he wished them to be taken in the open air. We then began to take them, in the open air, but the Poll Clerk having informed me that the ink was frozen, I ordered that the votes should be taken in the public room. Mr. *Turcotte* then said to his partizans: “They want to do me an injustice—have you still strong arms?” His partizans began to set up loud cries, and took possession of the Poll. In consequence of these threats, I ordered that the Poll should be closed. Mr. *Turcotte* came to me with his sword in his hand, and told me that if I did not continue taking the votes I should be torn to pieces, saying, “you are a damned hog, and your life is in danger,” at the same time, several of his partizans threatened me with sticks, and with their fists.

Evidence of Returning Officer at late election for County of St. Maurice.

No. 6, Ques.—Did he threaten that blood should be spilt, and were you afraid for your life?—Ans.—He told me that he would not answer for my life; and I was afraid for my life.

No. 7, Ques.—As you state that you did not hear the said *J. E. Turcotte*, Esquire, read the whole declaration, how came you to give him a certificate that he had read it?—Ans.—Because I was afraid for my life, and it was on the day after the opening of the Poll that I granted him a certificate of his having read the declaration.

No. 8, Ques.—Do you mean to say that the threats used, and the danger you ran, disturbed your judgment at the time, and your memory afterwards?—Ans.—No; but as it was the first time I had been a Returning Officer, and being pressed by Mr. *Turcotte* to decide, I did every thing without too much reflection.

No. 9, Ques.—Were you the Returning Officer for the last election of the County of *St. Maurice*, and is the Poll Book now produced, the Poll Book of the said election?—Ans.—Yes.

No. 10, Ques.—Was there any violence the second day?—Ans.—No.

No. 11, Ques.—When the Sitting Member read the declaration, as described by you, was any objection made as to the manner in which it was made, and if so by whom?—Ans.—No.

No. 12, Ques.—Were there any blows struck in your presence, the first day?—Ans.—No; not to my knowledge.

No. 13, Ques.—Is the certificate of Mr. *Turcotte's* declaration entered on the Poll Book? the act of declaration made in consequence of the requisition of *Pierre Dugas dit Labreche*?—Ans.—Yes.

No. 14, Ques.—Is it not true that the Poll lasted three days, and that it was on the 1st day that the Sitting Member used to you the threats of which you have spoken?—Ans.—It was on the first and on the second day.

No. 15, Ques.—Is it not true that the Sitting Member did not ask you to grant him a certificate of his having read the declaration; but that you signed the entry which appears on the Poll Book of your own accord, after it had been drawn up by your clerk?—Ans.—It was Mr. *Turcotte* who required me to sign it, and who dictated it to my clerk.

No. 16, Ques.—Was the certificate which you granted, of the said declaration, drawn from you by intimidation?—Ans.—No.

No. 17, Ques.—Is it not true that a Company of Her Majesty's Troops came to the Poll on the second day, on the requisition of Mr. *Gugy*?—Ans.—I have no knowledge that they came on the requisition of Mr. *Gugy*. The troops arrived during the night between the first and second days of the election.

No. 18, Ques.—Did you yourself, or did any other person object to the declaration drawn up by your clerk and signed by you?—Ans.—No.

Evidence of Returning Officer at late election for the County of St. Maurice.

No. 19, Ques.—On whose requisition did Troops come? Was it on yours? and to whom and when was the requisition made?—Ans.—On the requisition of the Magistrates, and myself.

No. 20, Ques.—Is it not true that the Troops remained from the opening of the Poll, on the second day, to the close of the election? if not when did they come, and when did they go away?—Ans.—They came at the beginning of the second day, and they went away at the close of the third day, after the election was over.

No. 21, Ques.—Did you attend the preceding elections for the County of *Saint Maurice*? and have you observed that it was the custom for the candidates, for that County, to wear swords during the election?—Ans.—I never attended them.

No. 22, Ques.—What o'clock was it when the sitting member threatened you, and used the injurious expressions you have mentioned?—Ans. I think it was about one, or half past one, in the afternoon of the first day.

No. 23, Ques.—At the close of the Poll, was any other protest made by the Candidate, or by the electors, than that which appears on the Poll Book?—Ans.—No.

No. 24, Ques.—Were you in the open air, or in the Public Room, when the threats and expressions, which you have mentioned, were used towards you?—Ans.—In the Public Room.

No. 25, Ques.—What o'clock was it when you were threatened and insulted by the sitting Member, on the second day?—Ans.—I do not remember exactly; but I think it was about half past, or three quarters past, eight, in the morning.

No. 26, Ques.—Is it not true that the Poll was held, as it was opened in the open air?—Ans.—It was only held for a very short time in the open air.

No. 27, Ques.—Were you under the necessity of calling in the Troops to maintain, or to re-establish order?—Ans.—Yes.

No. 28, Ques.—Is it not true that you went to *Maskinongé*, in a carriage with Mr. *Gugy*, on the evening of the first day of the election?—Ans.—It was on the second day.

No. 29, Ques.—Is it not true that you solicited votes for Mr. *Gugy*, and when you went with him to *Maskinongé*, before, or afterwards?—Ans. No.

No. 30, Ques.—Did any disturbance occur during the election which rendered it necessary to call in the assistance of the Troops to repress it? and by what party was such disturbance occasioned?—Ans.—I think I have already answered this question—By the Partizans of Mr. *Turcotte*.

No. 31, Ques.—Can you say that a single blow was struck, either with a fist, or a stick, during the elections?—Ans.—No.

Mr. Carufel then withdrew.

The Counsel then declared the evidence closed on the part of the Petitioners and delivered to the Clerk of the House the following Paper, marked (A.)

(A.)

Before the undersigned Notaries Public for the Province of *Lower Canada*, one of whom is resident at *Gentilly*, and the other at *St. Pierre les Becquets*: personally appeared *Jean Lablanc*, of the Parish of *St. Edouard de Gentilly*, and *Josephite Dehai dite Tourigny*, his wife, by him duly authorized to the effect hereinafter mentioned, who hereby voluntarily acknowledge and confess to have given by pure, simple and irrevocable Donation *Inter Vivos*, in the most valid form in which such Donation can be made, without reserving any power to revoke the same except, for ingratitude, and do hereby for greater surety jointly and severally. (renouncing all benefit of division) guarantee against all claims, gifts, dowers, debts, hypothecations, evictions substitutions and other incumbrances

whatever to *Joseph Edouard Turcotte*, Esquire, of the Town of *Three Rivers*, Advocate, hereunto present and accepting the same, a certain lot of land lying in the Parish of *St. Edouard*, and in the first concession of the Seignior of *Gentilly*, containing two arpents and a quarter in front by forty arpents in depth, bounded on the north by the River *St. Lawrence*, and on the south at the end of the said forty arpents, adjoining on the north east, to the land of *Jean Baptiste Guillaume dit Ducormier*, and on the south west to that of *Joseph Panneton*, together with the buildings on the said lot, as the whole now is, with all appurtenances and dependencies there-to belonging, with all which the said Donee hath declared himself well satisfied and acquainted as having visited and examined the same, to the said Donors belonging by just and lawful titles which they bind themselves to produce and deliver whenever they shall be thereunto required; being and lying the said land within the *Censive* and *Monvance* of the Seignior of *Gentilly*, towards the Domain of which said Seignior it is charged with such *Cens et Rentes*, as may be lawfully due thereon, but is given as being free of all other incumbrances, debts, dues and hypothecations whatsoever, and with possession from this day; and the said Donors further give and grant to the said Donee, thereof accepting, all the Household Furniture, farming utensils, stock, carriages, clothes and linen of which they are now possessed, and more especially, a three feet Stove and its pipes, two beds with bedding, a feather bed, a side board, two tables, a chest for flour, a large iron pot, two iron pots with their covers, a cast iron kettle, a tin sauce pan, and Italian iron, six bark bottomed chairs, a ladle, an iron shovel, a horse, three cows, four sheep and one lamb, a sow, a cariole, a calèche, and a cart with their wheels, a plough with shares, and iron chains, a harrow with iron teeth, a hoe, a cornbin, two old sets of harness and a collar, a tub, a large looking-glass, nine hens and cock, a frying-pan, and a baking pan, the said Donors reserving for themselves during their lives and the life of the survivor of them, their household furniture, beds and clothes for their use in their room, with all their cooking utensils:—the said Donors also reserving to themselves the use of a horse and of a vehicle suitable to the season, excepting only during seed-time, haying time and harvest,—and reserving also a milch cow during their lives to be from time to time furnished by the said Donee, and fed and pastured at his expense, and reserving also six hens and a cock;—reserving also their sitting room and bed room, at the south west side of their house for their lives and the life of the survivor of them, for which said sitting room fuel shall be provided by the said Donor according to the requirement of the said Donors, with the right of cooking their meals at the kitchen fire place, and of causing the horses of persons visiting them to be lodged in the stable, during the stay of such persons;—and reserving also a ewe of which the lambs and fleece shall belong to the said Donation, and which shall from time to time be provided by and fed at the expense of the Donee;—the said Donee binding himself to keep the said house wind and water tight and in good order; and further binding himself to cause the said Donors to be taken care of in case of sickness, to pay for their medical attendance, and in case of need to provide a female servant for them;—this Donation being also made on condition that the said Donee shall pay the said *Cens et Rentes* and other Seigniorial rights as well due as to become due upon the said land, and shall also pay and provide to and for the said Donors an alimentary pension and allowance, consisting of the following articles, that is to say; the flour produced from twenty six minots of wheat, delivered to the Donors at their residence, two hundred pound weight of good salt pork, one fresh hog weighing about one hundred pounds, one hundred pounds of good beef, the said articles to be deliverable in Autumn, the meat of one fat lamb, thirty six pounds of salt butter,

Deed of Gift to Joseph
Edouard Turcotte.

fifteen pounds of lard, twenty four dozen of eggs, six couple of fat fowls, twenty four pounds of candles, twenty bushels of potatoes, three bushels of boiling peas, twelve pounds of snuff for the donatrix, six pounds of tobacco for smoking, eight pounds of good tea, three pounds of coffee, one hundred pounds of sugar, (the first hundred pounds payable next year), seventy five heads of cabbage, six pounds of rice, two hundred onions, fifteen gallons of rum, five gallons of wine, half a bushel of salt, and six dollars in money ;—all which articles shall be payable yearly reckoning from to-morrow, and payable quarterly ;—with regard to the clothing of the Donors, the said Donee shall be bound to clothe them properly according to their station, and for the clothing of the Donatrix, he shall furnish a stuff dress every year, a bed gown two caps of printed cotton and two white caps every year, a pair of English shoes every year, a shawl every two years, two cotton handkerchiefs every year, a cotton apron and a paper of pins every year, six pounds of soap a year, besides such soap as may be requisite for washing :—and the said Donatrix reserves the right of disposing of her wearing apparel at her decease.—which said annual allowance or pension shall be diminished one half on the death of the first deceased, except as to such articles as may be absolutely necessary to the subdivision, such as the keeping of the room warm and clean,—the cow, the use of a carriage, and other things, not susceptible of division,—and at the death of the last deceased shall be totally extinguished in favor of the Donee, who shall be bound to cause the bodies of the Donors to be buried in the burial ground of the Parish in which they shall die, and to cause a service to be performed over the body of each of them, or so soon after their decease as may be possible, and also to cause a service to be performed at end of a year from their death, and to cause fifty Low Masses to be said for the repose of the soul of each of them after their decease respectively.

For which considerations the said Donors hereby convey and transfer to the said Donee all their right, title property and interest in the property herein before specified and given, to the end that he may enjoy and dispose thereof as to him may seem meet by virtue of these presents and subject to the charges aforesaid.—and for the due enregistrement of these presents the said Donors have constituted the bearer thereof to be their Attorney—for thus, &c., and for the due execution of these presents the said parties have elected their domicile at their respective places of residence, whereof, &c., thus done and passed at *Gentilly* at the residence of the said Donors, in the afternoon of the eleventh day of May, one thousand and eight hundred and forty ;—and the said Donors being requested to sign these presents declared themselves unable so to do, the said Donee having signed the same, after they had been duly read over,—thus signed on the original and remaining of record in the Office of *Maitre Genest*, one of the undersigned Notaries, *Jean x Leblanc*, *Josephte x Dehai*, *J. E. Turcotte*, *Gamelin Gaucher*, *N. P.*, and by the undersigned,

LOUIS GENEST, *N. P.*

Charles G. Mailhot, Esquire, was called to the Bar, and after having been duly sworn, gave the following evidence.

Evidence of Chas G.
Mailhot, Esq.

No. 32, Ques.—Were you present at the last Election for the County of *Saint Maurice*? Ans.—I was.

No. 33, Ques.—On how many days, and during what time, each day?—Ans.—I was present every day, and during the whole of each day.

No. 34, Ques.—Did you hear the sitting Member make any and what declaration of qualification? Relate in detail what you know on this subject?—Ans.—Mr. *Turcotte* declared himself qualified in a loud and intelligible voice, by reading, in a loud voice, from the 28th section of the Union Bill.

No. 35, Ques.—Did the sitting Member, in reading the declaration, mention his own name? Did he mention himself by his christian or surname, or by both?—Ans.—The sitting Member mentioned his surname and his christian names *Joseph Edouard*.

Evidence of Chas. G. Mailhot, Esquire.

No. 36, Ques.—At what distance was the Returning Officer from the sitting Member when the latter made the declaration? must he have heard the said declaration?—Ans.—The Returning Officer was about twenty or twenty five feet from the sitting Member, and must have heard his declaration.

No. 37, Ques.—Did the sitting Member mention any property, or estate, held in fief, or in *roture*, or in free and common soccage, and what property did he mention?—Ans.—The sitting Member mentioned an estate which he held in *roture*.

No. 38, Ques.—Where was the declaration of the sitting Member made?—Ans.—On the Hustings.

No. 39, Ques.—Was the declaration of the sitting member made publicly, and in a manner to be heard?—Ans.—Yes.

No. 40, Ques.—At the time the declaration was made, did you observe any tumult or noise among the Electors, or others?—Ans.—No tumult whatever.

No. 41, Ques.—Were any threats, used to the Returning Officer, at any time, and by whom, and what were the threats used?—Ans.—No threats were used to the Returning Officer to my knowledge.

No. 42, Ques.—Is it to your knowledge that any injurious expressions were used towards the Returning Officer, and by whom? What were the expressions so used?—Ans.—I cannot remember that any such expressions were used.

No. 43, Ques.—If threats had been used to the Returning Officer, between Noon and Two in the afternoon, of the first day of the Election, would the fact have been to your knowledge, and why?—Ans.—I must have known it, because I was constantly on the spot.

No. 44, Ques.—Did the sitting Member use his sword during the Election, and in what way?—Ans.—The only use I saw him make of it was to wear it at his side, and to put his hands several times upon it.

No. 45, Ques.—Did he do this in a threatening manner and against whom were his threats directed?—Ans.—I have no knowledge that any were used.

No. 46, Ques.—Have you attended Elections at *Saint Maurice*, or elsewhere? have you observed whether Candidates wear swords at Elections?—Ans.—I never before attended an Election for the County of *Saint Maurice*, and I have not observed that the Candidates wore swords at other places.

No. 47, Ques.—Did any of Her Majesty's Troops come up during the Election? why did they come, and how long did they remain? And from what place did they come?—Ans.—Troops came, on the second day, they remained during the rest of the Election.

No. 48, Ques.—How did the Electors behave, with violence or peaceably?—Ans.—As peaceably as possible.

No. 49, Ques.—Had the Electors sticks or arms, of any kind?—Ans.—I did not see a single stick, or any other arms.

No. 50, Ques.—Did you at any time see the sitting Member draw his sword?—Ans.—No.

No. 51, Ques.—Did you remark any thing, in the Returning Officer, of a nature to attract your particular attention, and say what?—Ans.—I remarked a great want of firmness in him.

No. 52, Ques.—State at length in what this want of firmness consisted?—Ans.—I observed at every instance that he scarcely knew how to proceed.

Evidence of Chas. G. Mailhot, Esquire.

No. 53, Ques.—Did you see or hear the sitting Member say or do any thing calculated to excite the Electors to a breach of the Peace. Ans.—Nothing at all.

No. 54, Ques.—What was the conduct of the sitting Member during the Election towards the Returning Officer, the opposing Candidate and the Electors in general?—Ans.—It was peaceable.

Cross examined by Mr Gagy, the Counsel for the Petitioners.

No. 55, Ques.—Were you not one of the warm Partizans of the sitting Member, and did you not take an active part in his favor?—Ans.—Yes.

No. 56, Ques.—Did not the Partizans of Mr. *Turcotte* jump up on the Hustings, on the first day with loud cries?—Ans.—A small number jumped upon the Hustings, being provoked by the Returning Officer having adjourned the Poll.

No. 57, Ques.—Did they not pull down part of the Hustings, or try to do so?—Ans.—I have no knowledge of that, and I do not believe they did.

No. 58, Ques.—Did you not yesterday, of your own accord, come up to the Counsel of the Petitioners, and did you not spontaneously assure him that you heard nothing of the reading of the declaration of qualification by Mr. *Turcotte*, and that you were unable to say any thing about it, or did you use any expressions of this kind?—Ans.—I said nothing which could bear that meaning.

No. 59, Ques.—Did you say any thing of the kind to Mr. *Carufel*? Ans.—I said to Mr. *Carufel* that it might happen that I should have some difficulty on some points.

No. 60, Ques.—Explain what difficulties, and on what points? Ans.—As to the reality of the property; because I have no personal knowledge on the subject.

No. 61, Ques.—Look at the charges mentioned in the donation which is now shewn to you and say to what sum they will annually amount?

It was objected that this question should be put to the Witness, Mr. *Mailhot* then withdrew.

On motion of the Honorable Mr. *Viger*, seconded by Mr. *Raymond*, Resolved—That the further consideration of the Petition of divers Electors of the County of *Saint Maurice* be postponed until to-morrow and then resumed.

Order of day for receiving report of Committee of whole on Speaker's Salary postponed till to-morrow.

The Order of the day for receiving the Report of the Committee of the whole House, appointed to take into consideration the propriety of providing for the payment of an annual salary to the Honorable the Speaker of this House, being read,

Ordered—That the said Order of the day be postponed until to-morrow.

Order of day for Committee of whole on Montreal Board of Trade Bill postponed till to-morrow.

The Order of the day for receiving the Report of the Committee of the whole House, on the Bill to incorporate the *Montreal* Board of Trade being read,

Ordered—That the said Order of the day be postponed until to-morrow.

Order of day for receiving report of Committee of whole on Devisee Law, postponed till to-morrow.

The Order of the day for receiving the Report of the Committee of the whole House, on the Bill to amend and consolidate the several Acts of the Legislature of *Upper Canada*, passed for the relief of persons claiming lands, under the nominees of the Crown, in cases where no Patent hath issued for such lands, being read,

Ordered—That the said Order of the day be postponed until to-morrow.

The Order of the day for the House in Committee, on the Bill to regulate the inspection and measurement of timber, masts, spars, deals, staves, and other articles, of a like nature, in the Ports of *Quebec* and *Montreal*, and for other purposes relative to the same, being read,

Ordered—That the said Order of the day be postponed until to-morrow.

The Order of the day for the House in Committee, on the Bill to provide for the better internal government of that part of this Province heretofore *Upper Canada*, by the establishment of local or municipal authorities therein, and on the instruction given to the said Committee, being read,

Ordered—That the said Order of the day be postponed until to-morrow.

The Order of the day for the House in Committee, on the Bill to repeal certain parts of an Act therein mentioned, and to provide for taking a periodical census of the inhabitants of this Province, and for obtaining the other statistical information therein mentioned, being read,

Ordered—That the said Order of the day be postponed until to-morrow.

The Order of the day for the second reading of the Bill to alter and amend the laws now in force in that part of this Province formerly *Upper Canada*, regulating the District Courts, being read,

Ordered—That the said Order of the day be postponed until to-morrow.

The Order of the day for the House in Committee, on the Bill for the disposal of Public Lands, being read,

Ordered—That the said Order of the day be postponed until to-morrow.

The Order of the day for the House in Committee, on the engrossed Bill from the Legislative Council, intituled "*An Act to explain and amend an Act passed in the Provincial Parliament of Upper Canada, in the seventh year of the Reign of King WILLIAM the Fourth, intituled 'An Act to establish a Court of Chancery in this Province, and to render more effectual the said Court,'*" being read,

Ordered—That the said Order of the day be postponed until to-morrow.

The order of the day for the second reading of the Bill to authorize the stock held by private parties in the Welland Canal to be purchased, on behalf of the Province, being read,

Ordered—That the said Order of the day be postponed until to-morrow.

Then, on motion of Mr. *Boswell*, seconded by Mr. *Thorburn*,
The House adjourned.

Veneris, 13^o die Augusti ;

Anno 5^o Victoriae Reginae, 1841

Mr. *Black* moved, seconded by Mr. Attorney General *Draper*,
That the time fixed by the Order of this House of the 23rd of June

Order of day for Committee of whole on Timber Inspection Bill, postponed 'till to-morrow.

Order of day for House in Committee of whole on Municipal Corporation Bill, postponed 'till to-morrow.

Order of day for Committee of whole on Census Bill postponed 'till to-morrow.

Order of day for second reading District Court Bill postponed 'till to-morrow.

Order of day for Committee of whole on Public Lands Bill, postponed 'till to-morrow.

Order of day for House in Committee on Court of Chancery Bill, from L. C. postponed 'till to-morrow.

Order of day for 2nd reading Welland Canal Stock Bill postponed 'till to-morrow.

Motion for extending period for trial of 2nd riding of York contested election.

- last, for taking into consideration the Petitions of Electors of the second riding of the County of *York*, and of *Connell James Baldwin*, Esquire, complaining of the undue election and return of *George Duggan*, Esquire, be extended until *Monday*, the 23d instant.
- Amendment to above motion. Mr. *Henry Smith* moved in amendment, seconded by Mr. *Baldwin*, That all the words in the said motion after "That" be struck out, and the following substituted, "the number of members who have not served on any Committee for the trial of controverted elections, during the present Session, is insufficient to fulfil the purposes of the Statute of the late Province of *Upper Canada*, passed in the Fourth year of the Reign of King *GEORGE* the Fourth, Chapter four, Section five.
- Amendment carried. The question having been put upon the motion of amendment, a division ensued, and it was carried in the affirmative.
- Motion as amended carried. The question being then put upon the main motion, as amended, it was agreed to by the House, and Resolved accordingly.
- Petitions brought up. The following Petitions were severally brought up, and laid on the table :—
- Peter Dunn & others. By Mr. *Holmes*—The Petition of *Peter Dunn*, and others, the Committee of Management of the *Montreal Recollect* School Institution.
- Thos. Renwick and others. By Mr. *Prince*—The Petition of *Thomas Renwick*, and others, inhabitants of the *Western* District.
- Rev. J. G. Geddes and others. By Sir *Allan MacNab*—The Petition of the Reverend *J. G. Geddes*, and others, Ministers of the Church of *England* and *Scotland*, and the Methodist Church of *Barton*, *Gore* District.
- William Walker, Chairman of Board of Trade of Quebec. M. B. Southwick and others. By Mr. *Burnet*—The Petition of *William Walker*, Chairman of the Board of Trade of *Quebec*, and the Petition of *M. B. Southwick*, and others, residing in the Mountain of *St. Hilaire De Rouville*, District of *Montreal*.
- Gaspé Fishery Bill read 3rd time and passed. An engrossed Bill to regulate the fisheries in the District of *Gaspé*, was read for the third time.
Resolved—That the Bill do pass.
- Bill sent to Legislative Council. Ordered—That Mr. *Christie* do carry the said Bill to the Legislative Council and desire their concurrence.
- Currency Bill read 3rd time and passed. An engrossed Bill to regulate the currency of this Province, was read for the third time.
Resolved—That the Bill do pass.
- Bill sent to the Legislative Council. Ordered—That Mr. *Holmes* do carry the said Bill to the Legislative Council and desire their concurrence.
- Haldimand Glass Works Bill read 3rd time and passed. An engrossed Bill, to establish a Company to be called the "*Haldimand Glass Works Company*," was read for the third time.
Resolved—That the Bill do pass
- Bill sent to Legislative Council. Ordered—That Mr. *Merritt* do carry the said Bill to the Legislative Council and desire their concurrence.
- Petitions read. Pursuant to the Order of the day the following Petitions were read :
- Of Wm. Taylor and others. Of *William Taylor*, and others, Freeholders of the county of *Kent*, praying for an aid for surveying and constructing a Turnpike road, in the said county.
- Of Wm. Fletcher and others. Of *W. Fletcher*, and others, inhabitants of *Bear Creek*, County of *Kent*, praying for an Act to prevent the felling of trees in the said Creek.
- Of T. Sandilands and others. Of *T. Sandilands*, and others, inhabitants of the District of *Wellington*, praying that the application to open a communication between the Townships of *Arthur* and *Sydenham*, and *Lake Ontario*, may not be granted without an inquiry.

Of *Elam Stinson*, and others, inhabitants of the *Gore*, and *Brock* Districts, praying for a charter for a joint Stock Company, to make a road in the said Districts.

Of Elam Stinson and others.

Of *Jacob Gardner*, and others, of the Township of *Wilmot*, District of *Wellington*, praying that the Petition of the Magistrates of *Guelph*, for the extra tax for the erection of certain Public Buildings in the township of *Guelph*, may not be granted.

Of Jacob Gardner and others.

Of *James Coleman*, and others, of the village of *Dundas*, *Gore* District, praying for a Law to exempt the Fire Companies, organized in Towns not incorporated, from Militia and other duties.

Of Jas. Coleman and others.

Of *Alpheus Todd*, of *Toronto*, Deputy Librarian, to the Legislative Assembly, praying for a remuneration for his work on Parliamentary Law.

Of Alpheus Todd.

Of *Reuben White*, of the township of *Sidney*, *Victoria* District, stating that certain property, and the sum of twenty-five dollars were taken from Petitioner's store, by *William Borne*, Esq., on the 15th of *December* 1837, and that he was confined in *Kingston* Gaol, during fifteen days, and praying for relief.

Of Reuben White, of Sidney.

Ordered—That the Petition of *James Coleman*, and others, of the village of *Dundas*, *Gore* District, be referred to the Select Committee to which was referred the Petition of the Fire Company, and of the Magistrates of the Town of *Brantford*.

Petition of James Coleman and others, referred.

Ordered—That Mr. *Dunscomb* be added to the said Committee.

Ordered—That the Petition of the Rev. *Walter Roach*, and elders of the Scotch Church, at *Beauharnois*, presented to the House on the 10th instant, be referred to the Select Committee to which was referred the Bill to repeal certain Acts therein mentioned, and to make provision for the establishment of Common Schools, throughout this Province, and other references.

Petition of Rev. Walter Roach and others, referred.

Mr. *Morris*, from the Special Committee to which was referred the Petition of *Ichabod Wing*, of *Chataugué*, in the State of *New York*, presented to the House the report of the said Committee; which was again read at the Clerk's table, and is as followeth:—

Committee on Petition of Ichabod Wing, present report.

“ That, from the evidence submitted to them by the Petitioner, they are led to believe that, being an Inhabitant of *Upper Canada* in 1813, he was seized in fee of Lots number 26, in the 5th and 6th Concessions of the Township of *Elizabethtown*, in the District of *Johnstown*.

Report on Petition of Ichabod Wing.

That, being, in consequence of religious scruples, associated with the Society of Friends, he refused, from such scruples, to perform military duty, and was, in consequence thereof, imprisoned in the common Gaol of the District of *Johnstown*, at *Brockville*, when that place fell into the hands of the enemy, in the month of *February* in that year. That he was on that occasion, with other persons confined at the same time, taken prisoner by the enemy, and carried into the *United States*. That after his liberation from confinement, by the American authorities, he continued to reside in the *United States*, from an apprehension that if he returned he would be imprisoned for not performing military duty, as he had been before, that subsequently, by an inquisition taken by and under the Act of the Provincial Parliament of *Upper Canada*, 54 GEO : 3 Ch. 9., the Petitioner was found to have voluntarily withdrawn from the Province, and the said lands under the authority of that Act, became vested in the Crown, and were sold with the forfeited lands.

That the lands having been thus forfeited, in consequence of the omission of the Petitioner to traverse the inquisition within the time permitted by Law, and the lands having been therefore actual sold, your Committee cannot recommend to your Honourable House the granting

the prayer of the Petition, as it could only be granted with the confiscation of the sale made of the lands on the behalf of the Public, and would therefore result in no practical benefit to the Petitioner, your Committee however think that the case of the Petitioner might be recommended to the favourable consideration of Her Majesty's Government with a view, if upon fuller enquiry it should be found that his lands had not been legally liable to forfeiture under the provisions of the Act, some compensation in land, or otherwise, might be made for the property thus sold by Public Auction."

Motion for referring Report to Com. of whole. on Tuesday next.

Lost.

Return presented of dismissal of R. Berrie, Esq

Mr. *Morris*, moved, seconded by ^a Mr. *Baldwin*, That the said Report be referred to a Committee of the whole House, on *Tuesday* next.

The question having been put upon the said motion, a division ensued, and it passed in the negative.

The Honourable *S. B. Harrison*, presented, pursuant to an Address of the House of Assembly, of the eleventh instant, a return on the subject of the dismissal of *Robert Berrie*, Esquire, from the Office of Clerk of the Peace, for the District of *Gore*.

For said Return see Appendix (Y.)

The Honourable *S. B. Harrison*, one of Her Majesty's Executive Council, delivered to Mr. Speaker a Message from His Excellency, the Governor General, signed by His Excellency.

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered, and is as followeth :—

SYDENHAM,

Message from His Excellency the Gov. General.

The Governor General recommends to the House of Assembly to make provision for ascertaining and liquidating all just claims in that part of the Province formerly called *Lower Canada*, arising out of the Rebellions and Invasions, in that part of the Province.

Kingston, 13th August, 1841.

Mutual Insurance Amend. Bill reported and read first time.

Mr. *Hincks*, from the select Committee to which were referred the Resolutions of this House, of the twenty eighth of *July* last, relative to the establishment of Mutual Insurance Companies, with power to report by Bill or otherwise, presented to the House a Bill to amend an Act of the Parliament of the late Province of *Upper Canada* intitled "*An Act to authorize the establishment of Mutual Insurance Companies in the several Districts of this Province*" which was received and read for the first time.

Second reading Monday next.

Ordered—That the said Bill be read a second time on *Monday* next.

Second report of Banking Committee presented.

Mr. *Hincks*, from the select Committee on Currency, and Banking, with power to report, from time, to time, presented to the House the second report of the said Committee, which was again read at the Clerk's table, and is as followeth :—

2nd Report of Com. on Banking.

" Your Committee on looking in the Act granting a charter to the Bank of *Upper Canada* find it to provide expressly "*that the said Bank shall be established and the building necessary for the accommodation thereof erected, purchased, or leased, and the business thereof at all times hereafter transacted at such place at the seat of Government of this Province as the Directors or a majority of them may appoint.*"

The said Bank was established at *Toronto*, the seat of Government of the late Province of *Upper Canada*, and the Directors are desirous that its principal place of business should remain there.

Your Committee have, therefore, thought it expedient, under the circumstances, to prepare the draft of a Bill to repeal the above provision, and provide that the said Bank shall be and remain permanently established at the City of *Toronto*, notwithstanding the assemblage of the Legislature at any other place; which Bill they beg respectfully to recommend for the adoption of Your Honourable House."

Resolved—That the said report be now referred to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. *McLean* took the chair of the Committee; and after some time spent therein,

House goes into Com. on second report of Com. on Banking.

Mr. Speaker resumed the chair,

And Mr. *McLean* reported that the Committee had come to a Resolution; which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:—

Resolved—That it is expedient to amend the Law incorporating the Bank of *Upper Canada*, so as to enable that Institution to carry on its business at the City of *Toronto*.

Resolution reported by Com. of whole.

Ordered—That Mr. *Hincks* have leave to bring in a Bill to permit the business of the Bank of *Upper Canada* to be carried on in *Toronto* as usual.

U. C. Bank relief bill brought in and read 1st time.

He accordingly presented the said Bill to the House and the same was received and read for the first time.

Ordered—That the said Bill be read a second time on *Monday* next.

On motion of Mr. *Curtwright*, seconded by Mr. *Smith*.

Second reading Monday next.

Resolved—That an humble address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House copies of all despatches, from Her Majesty's Government, to the Executive of this Province, on the subject of the naturalization of Aliens; and also copies of the despatches which may have been addressed by the Provincial Government to the Colonial Secretary, on the same subject, and all other documents relative thereto.

Address to be sent to His Excellency the Governor General for copies of despatches on subject of naturalization of Aliens.

Ordered—That the said Address be presented to His Excellency by such Members of this House as are of the Honourable the Executive Council of this Province.

Ordered—That Mr. *McCulloch* have leave to bring in a Bill to regulate the practice of Medicine, Surgery, and Midwifery, within this Province.

Physic and Surgery Bill brought in and read 1st time.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Ordered—That the said Bill be read a second time on *Monday* next.

Second reading on Monday next.

On motion of Mr. *Gilchrist*, seconded by Mr. *Williams*,

Ordered—That the Order of the day for the House in Committee on the Bill to regulate the inspection and measurement of timber, masts, spars, deals, staves, and other articles of a like nature, in the Ports of *Quebec* and *Montreal*, and for other purposes relative to the same, be postponed until *Monday* next.

Order of the day for Com. of whole on the Bill for the Inspection of Timber, &c., postponed till Monday next.

Mr. *Williams*, from the Committee of the whole House, on the Bill to incorporate the *Montreal* Board of Trade, reported, according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table and agreed to by the House.

Amendments reported to Montreal Board of Trade Bill, and agreed to.

Ordered—That the said Bill, as amended, be engrossed.

Bill to be engrossed.

Mr. *Crane*, from the Committee of the whole House, on the Bill to

Amendment to Simcoe Gaol and Court House Bill, reported and agreed to.

increase the sum which may be raised under a certain Act therein mentioned, for defraying the cost of certain public buildings, in the County of *Simcoe*, reported, according to order, the amendment made by the Committee to the said Bill, which amendment was again read at the Clerk's table, and agreed to by the House.

Bill to be engrossed.

Ordered—That the said Bill, as amended, be engrossed.

Amendments to Heir and Devisee Bill reported and agreed to.

Mr. *Armstrong*, from the Committee of the whole House, on the Bill to amend and consolidate the several Acts of the Legislature of *Upper Canada*, passed for the relief of persons claiming lands under the Nominees of the Crown, in cases where no Patent hath issued for such lands, reported, according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Bill ordered to be engrossed

Ordered—That the said Bill, as amended, be engrossed.

Order of day for receiving report of Com. of whole on Speaker's Salary postponed 'till Monday next

The Order of the day for receiving the Report of the Committee of the whole House, to take into consideration the propriety of providing for the payment of an annual salary to the Honourable the Speaker of this House, being read,

Ordered—That the said Order of the day be postponed until *Monday* next.

House proceeds in the contested election for the County of *St. Maurice*.

The Order of the day for taking into further consideration the Petition of divers electors of the County of *St. Maurice*, complaining of the undue return of *Joseph Edouard Turcotte*, Esquire, as a member for the said County, being read,

The names of the members sworn to try the merits of the Petition being called over, the following were found absent, viz :—

Mr. *Cameron*,
Mr. *Holmes*,
Mr. *J. S. Macdonald*.
Mr. *Moffatt*.
Mr. *Roblin*.

The Counsel for the Petitioners being called,

Mr. *Gugy* again appeared at the Bar.

The witnesses were then desired by Mr. Speaker to withdraw.

Charles Z. Mailhot, Esquire, was again called in and examined.

FRIDAY 13TH AUGUST, 1841.

The House took into consideration the question proposed yesterday, by Mr. *Gugy*, to the witness, *Charles Mailhot*, and it was then—

Resolved—That the said question was inadmissible.

Mr. *Gugy* then proposed to the said witness the following question :

No. 62, Ques.—Have you ever had any conversation with the said *Joseph Edouard Turcotte*, Esquire, relating to his qualification, and if you have had, please to state the purport of it ?

This question was then objected to ; and after having heard Mr. *Gugy*, the Counsel of the Petitioners, it was—

Resolved—That the said question was inadmissible.

Mr. *Mailhot* then withdrew.

The Counsel for the Petitioners also withdrew.

Sir *Allan MacNab* moved, seconded by Mr. *Delisle*, That the following Question be put to the Counsel for the Petitioners.

Whether the House understood the Counsel correctly, in supposing that he had, in his opening Address, stated that he was not, on behalf of the Petitioners, prepared with evidence on that part of the case, referring to the qualification of the sitting Member ?

The question having been put upon the said motion, a division ensued and it passed in the negative.

Mr. *Simpson* moved, seconded by Mr. *McLean*, That the further consideration of the Petition of divers Electors of the County of *Saint Maurice*, be postponed until *Monday* next and then resumed.

Mr. *Durand* moved, in amendment, seconded by Mr. *Borne*, that the words "*Monday* next" be struck out of the said motion, and the words "*to-morrow at Ten o'clock A. M.*" be substituted.

The question being put upon the motion of amendment, a division ensued, and it was carried in the affirmative.

The question being then put on the main motion, as amended, it was agreed to by the House and—

Resolved—That the further consideration of the Petition of divers Electors of the County of *St. Maurice*, be postponed until to-morrow, at Ten o'clock A. M. and then resumed.

Saint Maurice Election trial to be resumed at 10 A. M. To-morrow.

On motion of the Honorable Mr. *Neilson*, seconded by Mr. *Borne*,

Ordered—That the Order of the day for the House in Committee to consider the expediency of addressing His Excellency, the Governor General, to grant a free pardon for all offences committed during the late political disturbances, in *Upper and Lower Canada*, be postponed, until *Wednesday* next.

Order of day for Committee of whole on addressing His Ex. on Free Pardon for Political Offences postponed 'till Wednesday next.

On motion of Mr. *Morris*, seconded by Mr. *Potcell*,

Ordered—That the Order of the day for the House in Committee on the Report of the Special Committee to which was referred the Return to an Address of the sixth of *July* last, from this House, to His Excellency, the Governor General, relative to the claim of *Christopher Leggo* of *Brockville*, be postponed until *Wednesday* next.

Order of day for Com. of whole on report of Special Committee on claim of Chris. Leggo, postponed 'till Wednesday next.

Ordered—That when this House doth adjourn it will adjourn until to-morrow at Ten o'clock, A. M.

House to adjourn 'till To-morrow at 10 o'clock, A. M.

On motion of Mr. *Dunscob*, seconded by Mr. *Morin*,

Ordered—That the Order of the day for the House in Committee on the Bill to authorize the North American Colonial Association of Ireland, to loan monies and to prosecute certain public works in the County of *Beauharnois*, be postponed until *Wednesday* next.

Order of day for Committee of Whole on N. A. C. Association of Ireland Bill postponed 'till Wednesday next.

On motion of Mr. *Baldwin*, seconded by Mr. *Durand*,

Ordered—That the Order of the day for the House in Committee on the Bill the better to provide for the freedom of Elections, throughout this Province, and for other purposes therein mentioned; and on the Bill to provide for the enregistration of persons entitled to vote at the Elections of Members of the Legislative Assembly of this Province, and to make better provision for the holding of such Elections, be postponed until *Monday* next, and that it be then the first Order of the day.

Order of day for Committee of whole on Election Bill to be first item on Monday next.

On motion of Mr. *Christie*, seconded by Mr. *Borne*,

Ordered—That the Order of the day for the House in Committee on the Bill to make more ample provision than heretofore for the due administration of Justice in the territorial division of *Gaspé*, be postponed until *Monday* next.

Order of the day for Committee of whole on Judicature Bill of Gaspé, postponed 'till Monday next.

On motion of Mr. *Christie*, seconded by Mr. *Borne*,

Ordered—That the Order of the day for the House in Committee on the Bill to provide temporarily, for the administration of Justice in the *Magdalen* Islands, in the Gulf of *Saint Lawrence*, be postponed until *Monday* next.

Order of day for Committee of whole on Administration of Justice in Magdalen Islands, Bill postponed 'till Monday next.

Second reading Eto-
bicoke Macadamized
Road Bill, postponed
till Wednesday next.

On motion of Mr. Price, seconded by Mr. Morris,
Ordered—That the Order of the day for the second reading of the Bill to Incorporate certain persons therein mentioned, for the purpose of making a Macadamized road from Dundas Street to the River Humber, in the Township of *Eto-bicoke*, be postponed until *Wednesday* next.

Then on motion of Mr. Dunscomb, seconded by Mr. Boswell,
The House adjourned.

Sabbati. 14^o die Augusti,

Anno 5^o *Victoriae Reginae*, 1841.

Petitions read.

Of Sister M. M. Huot.

Pursuant to the Order of the day, the following Petitions were read.
Of Sister *M. M. Huot*, Superior of the Hospital of *St. Hyacinthe*, County of *St. Hyacinthe*, praying for a grant of one hundred pounds, towards the Support of the said Hospital.

Of Chas. Currie and others.

Of *Charles Currie*, and others, of the Gore of *Chatham*, County of the *Lake of Two Mountains*, praying for an Act for the promotion of Education throughout the Province.

Of Rev. William Muir and others.

Of the Reverend *William Muir*, and others, of the Townships of *Chatham*, and of *Grenville*, praying that the Sacred Scriptures may be used as a Class Book in all the Schools in the Province.

Of Charles Smyth, Esq.

Of *Charles Smyth*, Esquire, of the City of *Albany*, State of *New York*, Merchant, complaining of the illegalseizure of a large quantity of Tobacco, and praying relief.

Rear Ad Vansittart and others.

Of Rear Admiral *Henry Vansittart*, and others, the Committee of management, of the "Woodstock Mechanic's Institute" praying for a grant of one hundred pounds towards the support of the said Institute.

Of James Black and others.

Of *James Black*, and others, of *Quebec*, praying for an Act to extend the provisions of the Ordinance of the late Special Council to provide for the improvement of certain roads in the vicinity of *Quebec*.

Petition of C. Smyth referred to Select Committee.

On motion of Mr. *Henry Smith*, seconded by Mr. *Destisle*,
Resolved—That the Petition of *Charles Smyth*, of the City of *Albany*, State of *New York*, Merchant, be referred to a Select Committee, composed of the Honourable Mr. *Harrison*, the Honourable Mr. *Viger*, Mr. *Morin*, and Mr. *Morris*, to examine the contents thereof, and report thereon with all convenient speed, by Bill or otherwise; with power to send for persons, papers, and records.

Petition of Alpheus Todd referred to Contingent Committee.

Ordered—That the Petition of *Alpheus Todd*, of the City of *Toronto*, Deputy Librarian to the Legislative Assembly, presented to the House on the *eleventh* instant, be referred to the Special Committee on the Contingent Accounts and expenses of the present Session.

Petition of C. H. Morgan and others, referred to Select Com.

On motion of Mr. *Boswell*, seconded by Mr. *Williams*,
Resolved—That the Petition of *Charles H. Morgan*, and others, Inhabitants of the County of *Northumberland*, in the *Newcastle*, District, presented to the House on the *sixth* instant, be referred to a Select Committee, composed of the Honourable Mr. *Killaly*, Mr. *Gilchrist*, Mr. *Roblin*, and Mr. *Parke*, to examine the contents thereof, and report thereon with all convenient speed, by Bill or otherwise; with power to send for persons, papers, and records.

The Order of the day for taking into further consideration the Petition of divers electors of the County of *St. Maurice*, complaining of the undue return of *Joseph Edouard Turcotte*, Esquire, as a Member for the said County, being read.

The names of the Members sworn to try the merits of the Petition being called over, the following were found absent, viz :—

Mr. <i>Buchanan</i> ,	The Hon. Mr. <i>Harrison</i> ,	Mr. <i>Roblin</i> ,
Mr. <i>Cameron</i> ,	Mr. <i>J. S. Macdonald</i> ,	Mr. <i>Simpson</i> ,
Mr. <i>Gilchrist</i> ,	Mr. <i>McLean</i> ,	Mr. <i>Fule</i> .

Members absent on *St. Maurice* contested Election.

The Council for the Petitioners, being called, Mr. *Gugy*, again appeared at the Bar.

The Witnesses were then desired by Mr. Speaker to withdraw.

After which Mr. *Gugy*, addressed the House on behalf of the Petitioners.

Mr. *Gugy* addresses the House in behalf of Petitioners.

Mr. *Prince*, moved, seconded by Sir *Allan MacNab*,

That the further consideration of this trial be postponed until *Wednesday* next, at four o'clock, P. M., and that the Clerk of this House be directed to furnish the Counsel for the Petitioners, forthwith, with a copy of the evidence taken.

Motion for postponing Trial.

Mr. *Christie*, moved in amendment, seconded by Mr. *Aylwin*,

That all the words in the said motion after "that" in the first line, be struck out, and the following substituted, "The Counsel for the Petitioners having declared their case closed, and the sitting Member in like manner having closed his case, the Counsel be now heard in reply on the case of the Petitioners."

Amendment proposed that Counsel be heard in reply.

The question having been put upon the motion of amendment, a division ensued, and the names being called for they were taken down as followeth :—

YEAS.

<i>Armstrong</i> ,	<i>Child</i> ,	<i>Morin</i> ,	<i>Small</i> ,
<i>Aylwin</i> ,	<i>Christie</i> ,	<i>Morris</i> ,	<i>Steele</i> ,
<i>Baldwin</i> ,	<i>Cook</i> ,	<i>Neilson</i> ,	<i>Taché</i> ,
<i>Sarthe</i> ,	<i>Durand</i> ,	<i>Parent</i> ,	<i>Thompson</i> ,
<i>Borne</i> ,	<i>Hicks</i> ,	<i>Price</i> ,	<i>Viger, Hon. D.B.</i>
<i>Boutillier</i> ,	<i>Hopkins</i> ,	<i>Raymond</i> ,	(23).

NOES.

<i>Black</i> ,	<i>Derbshire</i> ,	<i>MacNab, Sir. A. N.</i>	<i>Quesnel</i> ,
<i>Boswell</i> ,	<i>De Salaberry</i> ,	<i>McCulloch</i> ,	<i>Robertson</i> ,
<i>Burnet</i> ,	<i>Draper, Hon. W. H.</i>	<i>Moffatt, Hon. G.</i>	<i>Smith, (Front.)</i>
<i>Chesley</i> ,	<i>Duggan</i> ,	<i>Ogden, Hon. C. R.</i>	<i>Smith, (Went.)</i>
<i>Crane</i> ,	<i>Foster</i> ,	<i>Parke</i> ,	<i>Thorburn</i> ,
<i>Delisle</i> .	<i>Johnston</i> ,	<i>Poivell</i> ,	<i>Williams.—24.</i>

Amendment lost.

So it passed in the Negative.
Sir *Allan MacNab* then moved, in amendment, to the main motion, seconded by the Honourable Mr. *Ogden*,

Another amendment proposed.

That all the words in the said motion after "that", in the first line, be struck out, and the following substituted, "this House do now proceed to the farther examination of the Returning Officer or other witnesses, if the House should be so advised, and that delay until *Monday* next (after the consideration of the Petitions on the contested election for the second riding of the County of *York*) be granted to the Counsel of the Petitioners for addressing this House finally on the merits of the case."

The question having been put on this motion of amendment it passed unanimously in the Negative.

The question being then put on the main motion it also passed unanimously in the Negative.

Joseph Eustache Sicard De Carusel, Esquire, was again called in and examined.

SATURDAY, 14 AUGUST.

Examination of Returning Officer proceeded in

Eustache Sicard De Carusel, Esquire, again appeared at the Bar of the House and was interrogated as follows:—

No. 63, Ques.—In what language did the sitting Member read, or pretend to read, the declaration of qualification from the Union Act.—Ans. In the English Language.

No. 64, Ques.—Did you understand that language, or have you sufficient knowledge of the English language to certify under Oath that, that declaration was made in conformity with the statute?—Ans.—No.—I do not understand English sufficiently well for that.

No. 62, Ques.—Do you mean to say that the declaration was not in fact conformable to the statute?—Ans.—I cannot say whether it was or was not.

No. 66, Ques.—Did Colonel *Gugy*, at the close of the Poll, require you to proclaim him as duly elected, and did he protest verbally, or otherwise against your refusing so to do?—Ans.—He required me, verbally, to proclaim him elected; and he then delivered me a protest to the same effect, which is annexed to the Poll Book.

No. 67, Ques.—When did you hear Colonel *Gugy* object to the manner in which the sitting Member read the declaration of qualification?—Ans.—The first day at the Hustings.

No. 68, Ques.—Mr. *Johnston* wishes to know why or for what cause the military were sent for, was it at the request of the Returning Officer or the unsuccessful candidate?—Ans.—Because there were disturbances on the first day, and my life was in danger from the threats used by the sitting Member and his partizans.—The Troops were required by the several Magistrates, subjects of Her Majesty, and by myself.

No. 69, Ques.—Whose partizans, at the said election, were those who joined you in requiring the troops?—Ans.—I do not know them all. There was Mr. *Boucher*, the elder, Mr. *Bazin*, *Antoine Picotte*, and several others, whose names I cannot recollect—those I have mentioned were partizans of Mr. *Gugy*.

Motion, that Speaker do leave the chair for one hour, lost.

Mr. *Morris* moved, seconded by Mr. *Boswell*,

That the Speaker do leave the chair for one hour.

The question being put upon the said motion a division ensued, and it passed in the negative.

The taking of the evidence was then continued.

No. 70, Ques.—You have said that the sitting member read the the twenty-eighth section of the Union Act: How do you know that he did so, if you do not understand English?—Ans.—Because the sitting member himself caused it to be entered in the Poll Book that he had done so.

No. 71, Ques.—After the sitting member had made the declaration of which you granted him acte. Did Mr. *Gugy* object to the said declaration and in what way?—Ans.—After the sitting member had read his declaration Mr. *Gugy* presented his to me in writing, telling me to require the same from the sitting member. I then required the sitting member to do so, and he replied that he had done enough.

No. 72, Ques.—Did Mr. *Gugy* then assert that Mr. *Turcotte* had not read the declaration; or did he confine himself to requiring that it should

be made in writing?—Ans.—Mr. *Gugy* said nothing at that time except what I have just stated. He complained of the reading.

No. 73. Ques.—Were any threats used towards you signifying or implying that any and what injury would be done you if you did not return the sitting member, other than bodily injury?

This question was objected to, and—

Resolved—That the said question is not pertinent.

Mr. *Boswell* moved, seconded by Mr. *Morris*,
That the speaker do leave the chair for one hour.

The question having been put upon the said motion a division ensued, and it passed in the negative.

The taking of the evidence was again continued.

No. 74. Ques.—You say that you saw no blows actually struck, yet that you feared for your life, what was the causes of this fear?—Ans.—After the Poll was opened I wished to take the votes in the public room, the place which I had assigned for that purpose, the sitting member opposed my doing so. In consequence of this I took seven votes in the open air and then directed that they should be taken in the house. Mr. *Turcotte* then said to his people, “they want to do you injustice,” about *two hundred* people immediately passed over the hustings in order to get into the room, yelling, swearing and breaking the boards of the Hustings. Mr. *Turcotte* said to me, “you see that my people are getting violent, come and take the votes out of doors, if you do not obey my orders you will be the cause of blood being spilt.” I found myself immediately afterwards surrounded by the sitting member and his partizans. One called out—“Take the votes or I’ll kill you,” another said, “Take the votes or I’ll blow your brains out,” some of them threatened me with sticks. In consequence of those threats and the disturbance which then existed, I determined to adjourn the Poll. The sitting member said to me “open the Poll or I’ll have you torn in pieces.” He told me a second time to open the Poll, and that if I did not he would not answer for my life. I got out of the place as well as I could, and when I was outside I heard the sitting member say to his partizans, that I had run away, that I had not done my duty, but that he would make me do it the next day, whether I would or not. As I believed that I had done my duty, and was afraid that the next day the sitting member would make me do something unjust, and as his partizans seemed disposed to be riotous, and he appeared to excite them to be so, and I could not continue the election without having a sufficient force, we sent for the troops.

No. 75. Ques.—What o’clock was it when the electors took possession of the Poll in the manner you have described?—Ans.—I believe I have already answered this question. I cannot recollect exactly, but this took place at or near half-past one, and lasted about half or three quarters of an hour.

No. 76. Ques.—What were the dimensions of the Hustings?—Were they entirely destroyed, or partially damaged, and if the latter, what part was damaged?—Ans.—The whole front of the Hustings. They were about twelve feet long by five feet wide.

Mr. *Thorburn* moved, seconded by Mr. *Johnston*,
That the House do adjourn until five o’clock, P. M., this day.

The question having been put upon the said motion a division ensued, and the names being called for, they were taken down as followeth:—

YEAS.

Boutillier,
Child,

Cook,
Crane,

Duggan,
Durand,

Hopkins,
Johnston,

Examination of Returning Officer proceeded in.

Motion, for Speaker to leave the chair for one hour lost.

Motion for adjournment.

<i>McDonald, (Pres.)</i>	<i>Parke,</i>	<i>Smith, (Went.)</i>	<i>Thorburn,</i>
<i>Morin,</i>	<i>Robertson,</i>	<i>Thompson,</i>	<i>Williams.—17.</i>
<i>Neilson.</i>			

NOES.

<i>Armstrong,</i>	<i>Curtwright,</i>	<i>MacNab, Sir A.N. Price,</i>	
<i>Baldwin,</i>	<i>Christie,</i>	<i>McCulloch,</i>	<i>Quesnel,</i>
<i>Barthe,</i>	<i>Delisle,</i>	<i>Moffatt, Hon. G.</i>	<i>Raymond,</i>
<i>Black,</i>	<i>Derbshire,</i>	<i>Ogden, Hon. C. R.</i>	<i>Steele,</i>
<i>Borne,</i>	<i>De Salaberry,</i>	<i>Parent,</i>	<i>Taché,</i>
<i>Bostcell.</i>	<i>Foster,</i>	<i>Powell,</i>	<i>Viger, Hon. D.B.</i>
<i>Burnet,</i>	<i>Hincks,</i>		26.

Motion for adjournment lost

So it passed in the negative.

The taking of the evidence was again continued.

Examination of Returning Officer proceeded in.

No. 77, Ques.—Do you mean to say that you do not understand English at all—or that you understand it only imperfectly?—Ans.—I understand only a few words.

No. 78, Ques.—In what language was your Commission written?—If it were in English did you understand its contents? Ans.—It was in English but I got it translated into French.

No. 79, Ques.—Who translated your Commission for you?—Name the person—Ans.—Mr. *Ovide Benjamin Peltier*.

No. 80, Ques.—Was there any doubt in your mind that the declaration which Mr. Turcotte read at the time of election, was the declaration by law required of persons eligible to a seat in the Assembly, and candidate therefor?—Ans.—I have no doubt that this declaration is the declaration required by the Law; but I have some doubts as to the manner in which it was read.

No. 81, Ques.—As you did not understand the language in which the sitting member read, what made you suppose it was the declaration required by law?—Ans.—Because I thought that, although I do not understand English, the sitting member ought to have addressed himself to me to read it; on the contrary, he went to a distance from me, to the other end of the Hustings, to read it, and as there were several persons between him and me, I was unable to hear him. I must add, that at the moment the partizans of both candidates were making a great deal of noise.

The question being again read to the witness, he added:—Ans.—Because the sitting member caused an entry to be made on the Poll Book that he had read the declaration on the Hustings.

No. 82, Ques.—Have you any knowledge that the sitting member made the declaration that he did not collusively or colourably obtain a title to, or come possessed of lands and tenements, or any part thereof, for the purpose of qualifying or enabling himself to be returned a member of the Legislative Assembly of the Province of *Canada*?—Ans.—When the sitting member offered himself as a candidate, it was notorious that he was not qualified; and I have heard it said that he had received a gift of a lot of land worth about £500, but which was subject to a life rent of £40.

The question being again read to the witness, he answered: Ans.—No.

No. 83, Ques.—When the sitting member took the copy of the Union Act from you, did he tell you what use he meant to make of it?—Ans.—No; he snatched it out of my hands without saying for what purpose.

No. 84, Ques.—When the sitting member read the declaration, was your clerk, Mr. *Peltier*, present? Does not that gentleman understand *English*; and did he not follow the sitting member when the latter was

reading? Ans.—I cannot say whether he was present, but I know that he understood *English* well.

Mr. *De Carufel* then withdrew.

Mr. *Neilson* moved, seconded by Mr. *Boswell*,

That the House do now adjourn.

The question being put upon the said motion, a division ensued, and it was carried in the affirmative, and—

The House accordingly adjourned until *Monday* next.

Luncæ, 16^o die Augusti;

Anno 5^o Victoriae Reginae, 1841.

Mr. Speaker communicated to the House the following letter:—

KINGSTON, 16th AUGUST, 1841.

SIR,—I am commanded by the Governor General to inform you that it is His Excellency's intention to proceed to the Legislative Council Chamber to-morrow, at half past two o'clock, to assent, in Her Majesty's name, to certain Bills passed by the Legislative Council, and House of Assembly.

His Excellency will assent to certain Bills to-morrow.

I have the honour to be,

Sir,

Your most obedient humble servant,

J. W. C. MURDOCK,

Chief Secretary.

The Hon. the Speaker of the }
House of Assembly, }

Ordered—That when this House doth adjourn, it will adjourn until to-morrow, at two o'clock, P. M.

House to adjourn 'till to-morrow, at 2, P. M.

A Message from the Legislative Council, by *John Godfrey Spragge*, Esquire, Master in Chancery.

Message from Legislative Council.

MR. SPEAKER,

The Legislative Council have passed the following Bills, without any amendment:—

“ *An Act to amend a certain Ordinance of the Legislature of Lower Canada, for making a Rail Road from Sherbrooke to the River Richelieu.*”

Sherbrooke Rail Road Bill passed.

“ *An Act to exempt from duty all copies of the Holy Scriptures, imported into this Province by sea.*”

Scriptures duty exemp. Bill passed.

And also,

The Legislative Council have passed the following Bills, with several amendments, to which they desire the concurrence of the Assembly.

“ *An Act to enable the Ministers of all denominations of Christians to solemnize marriage under certain restrictions.*”

Marriage Bill amended by Leg. Council.

“ *An Act to enable Religious Societies of all denominations of Chris-*

Societies Lands Bill,

and Magistrates Fines Bill, also passed with amendments.

" tians, to hold the lands requisite for certain purposes therein mentioned," and

" An Act to require Justices of the Peace to make Returns of convictions and fines, and for other purposes therein mentioned."

And also,

LEGISLATIVE COUNCIL, THURSDAY, 12th AUGUST 1841.

Legislative Council have passed address to His Excellency to transmit Petitions to Her Majesty, &c.

Ordered—That the Master in Chancery do go down to the Legislative Assembly, and acquaint that House that the Legislative Council have passed an Address to His Excellency, the Governor General, praying that His Excellency will be pleased to transmit the Petitions of both Houses, to Her Majesty, and the two Houses of the Imperial Parliament, on the subject of the Timber Duties, to which Address they desire the concurrence of the Assembly.

(The address is as follows:)

To His Excellency, the Right Honourable CHARLES BARON SYDENHAM, of *Sydenham*, in the County of *Kent*, and *Toronto*, in *Canada*, one of Her Majesty's Most Honourable Privy Council, Governor General of *British North America*, and Captain General, and Governor in Chief, in and over the Provinces of *Canada*, *Nova Scotia*, *New Brunswick*, and the Island of *Prince Edward*, and Vice Admiral of the same, &c. &c. &c.

Address.

MAY, IT PLEASE YOUR EXCELLENCY,

We, Her Majesty's dutiful and loyal subjects, the Legislative Council, and Assembly, of the Province of *Canada*, have agreed upon Joint Petitions to Her Most Gracious Majesty and to the Lords and Commons of the United Kingdom, in relation to a proposed alteration of the duties heretofore long established, and now existing, on the introduction of Foreign and Colonial Timber, and Deals, into Her Majesty's Home Dominions; and we now most respectfully present the said Petitions to Your Excellency, humbly requesting that Your Excellency would be pleased to transmit them to Her Majesty's Secretary of State for the Colonial Department, praying that the Petition to Her Majesty may be laid at the foot of the Throne, and that the several Petitions to the Right Honourable the House of Lords, and the Honourable the House of Commons, may be submitted to them respectively.

ROBERT S. JAMESON,
Speaker of the Leg. Council.

Legislative Council Chamber, }
12th day of August, 1841. }

And then he withdrew.

The Honourable *S. B. Harrison*, one of Her Majesty's Executive Council, delivered to Mr. Speaker, a Message from His Excellency, the Governor General, signed by His Excellency.

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered, and is as followeth:—

SYDENHAM,

Message from H. E. the Governor General on Salaries and Pensions

The Governor General transmits to the House of Assembly an estimate of salaries for the various Officers of the two Houses of Parliament, as well as of retiring allowances to Officers of the late Houses of *Upper*

and *Lower Canada*, whose services have been unavoidably dispensed with—All which he recommends to their consideration.

In framing the estimate for the salaries of Officers, for the Legislative Council, His Excellency has been guided by the wishes expressed by that body, that their establishment should be provided for as much as possible by annual vote, and not, as heretofore, mainly defrayed out of contingences, which does not afford the same specific information as to the items of expence to the Public.

In submitting the estimate for the House of Assembly, the Governor General has followed the precedent of the House of Assembly of *Lower Canada*, with regard to the Officers to be paid by annual vote, or from the contingencies, not having been made aware of the wishes of the House, but he will be happy to adopt any alteration in this respect, which the House of Assembly may desire, and to give to it the recommendation of the Crown.

Government House Kingston, }
16th August 1841. }

Estimate of Salaries to be granted to the Officers of the Legislative Council, and Assembly, of the Province of *Canada*, and of Pensions to the late Officers of the Legislative Councils and Assemblies, of the Provinces of *Upper* and *Lower Canada*, whose services have been discontinued.

Estimate of Salaries
and Pensions to
Officers of the Legis-
lature.

SALARIES,

LEGISLATIVE COUNCIL.

Speaker,.....	£1,000
Clerk,.....	500
Two Clerks Assistant at £300 each,.....	600
First Clerk of Committee to act as Law Clerk and English Translator,.....	250
Master in Chancery,.....	100
Gentleman Usher of the Black Rod,.....	100
Sergeant at Arms,.....	100
Chaplain to act as Librarian,.....	200
Door Keeper,.....	60
Head Messenger to take charge of the House,.....	100
Three Messengers to serve during the Session and eight days after its close at £45 each,.....	135
	<hr/>
	£3,145.
	<hr/>

SALARIES,

HOUSE OF ASSEMBLY.

Speaker,.....	£1,000
Clerk,.....	500
Assistant Clerk,.....	400
English Translator to perform duties of Law Clerk,	350
French Translator,.....	250
Sergeant at Arms,.....	100
Clerk of the Crown in Chancery,.....	150
	<hr/>
	£2,750
	<hr/>

Estimate of Salaries
and Pensions to
Officers of the Legis-
lature

PENSIONS,
LEGISLATIVE COUNCIL.

Names of Officers.	Office which he held.	Amount of Salary.	Proportion of Salary.	Amount of Pension.
		Cy.		
W. Smith,	Clerk Lower Canada.	500	2 thirds.	£333 6 8
do.	Master in Chancery,	90	do.	60 0 0
C. DeLéry.	Assistant Clerk,	400	do.	266 13 4
J. Voyer,	Clerk of Committees,	250	do.	166 13 4
W. Ginger,	Sergeant at Arms,	100	do.	66 13 4
L. Moreau,	Messenger and Office Keeper,	40	1 half.	20 0 0
				£913 6 8

PENSIONS,
HOUSE OF ASSEMBLY.

Name of Officer.	Office held by him.	Amount of Salary.	Proportion to be granted.	Amount of Pension.
S. B. Pinguet.	Clerk of Committees,	£100	2 thirds.	£ 66 13 4
D. Jardine,		200	do.	133 6 8
W. Coates,		200	do.	133 6 8
S. Waller,	Clerk of Committees,	200	1 half.	100 0 0
J. Brewer,	Librarian,	200	2 thirds.	133 6 8
Eneas Bell,				18 0 0
F. Rodrigue,	} Door Keepers,	36	1 half.	18 0 0
Lewis Gagné,		36	do.	18 0 0
				£620 13 4

House proceeds in
trial of contested Elec-
tion for 2nd Riding of
York.

The hour appointed for taking into consideration the Petition of divers electors of the second riding of the County of York, and of *Connell James Buhlein*, Esquire, complaining of the undue Election and return of *George Duggan*, Esquire, as a Member to represent the said Second Riding, of the County of York, in this present Parliament, being come.

The House proceeded to the appointment of a Select Committee to try and determine the merits of said Petitions.

The Serjeant at Arms was directed by Mr. Speaker to go with the Mace to the places adjacent, and require the attendance of the Members on the business of the House.

And he went accordingly.

And being returned the House was called and more than thirty Members being present.

Mr. Speaker called upon the Petitioners their Counsel or Agents to appear at the Bar.

John Ross, Esquire, appeared at the Bar as Counsel for the Petitioners,

Mr. Speaker, called upon the sitting Member, his Counsel or Agent to appear at the Bar.

John Duggan, Esquire, appeared at the Bar as Counsel for the sitting Member.

Mr. Speaker, then desired the Serjeant at Arms to lock the doors.

Doors locked.

And the doors being locked accordingly, and the Order of the day for taking the said Petition into consideration, being read, the attestation of the Speaker was taken from off the box in which, agreeably to the Statute, the names of all the Members of the House were sealed up, and the same was read by the Clerk, as follows :—

I attest that this Box was on the 14th day of *August*, 1841, made up in my presence, in the manner directed by an Act passed in the Fourth year of the Reign of His late Majesty King GEORGE the Fourth, intituled “*An Act to repeal an Act passed in the forty fifth year of His late Majesty’s Reign, intituled ‘An Act to regulate the trial of controverted elections or returns of members to serve in the House of Assembly,’ and to make more effectual provision for such trials.*”

Attestation of Speaker

AUSTIN CUVILLIER,

Speaker.

The Box was then opened, and the Attestation of the Clerk was taken out of the Box, and read by him, as follows :—

I attest that I did, on *Saturday*, the 14th day of *August*, 1841, in presence of the Speaker of this House, put into a Box in which this attestation is found, the names of all the members composing the present Legislative Assembly, written upon slips of parchment, and rolled up, as directed by an Act passed in the fourth year of the Reign of His late Majesty King GEORGE the Fourth, intituled “*An Act to repeal an Act passed in the forty fifth year of His late Majesty’s Reign, intituled ‘An Act to regulate the trial of controverted elections or returns of members to serve in the House of Assembly,’ and to make more effectual provision for such trials.*”

Attestation of Clerk.

W. B. LINDSAY,

Clerk Assembly.

The names of all the members were taken out of the Box, and put into three other Boxes.

The drawing of the names was then proceeded in, in the usual manner, and the following names were drawn, to which no objection was taken :—

1 <i>Thompson,</i>	9 <i>Baldwin,</i>	17 <i>Borne,</i>
2 <i>Durand,</i>	10 <i>Taché,</i>	18 <i>MacNab, Sir A. N.</i>
3 <i>Harrison,</i>	11 <i>Child,</i>	19 <i>Smith, Henry,</i>
4 <i>Foster,</i>	12 <i>Armstrong,</i>	20 <i>Parke,</i>
5 <i>Johnston,</i>	13 <i>Merritt,</i>	21 <i>Draper,</i>
6 <i>Barthe.</i>	14 <i>Cook,</i>	22 <i>Crane,</i>
7 <i>Cartwright.</i>	15 <i>Day,</i>	23 <i>Roblin.</i>
8 <i>Moffat,</i>	16 <i>Prince,</i>	

Names drawn from which to strike a Select Committee.

Fifteen names were drawn and set aside, or excused, as follows :

Six, against whom petitions are now pending.

Nine, serving on election committees.

Eight names were also drawn of members who were absent.

Mr. *Hincks* was chosen nominee for the Petitioners.

Mr. *Aylwin* was chosen nominee for the Sitting Member.

Mr. *Hincks* Nominee for Petitioners.

Mr. *Aylwin* Nominee for Sitting Member.

John Ross, Esquire, Counsel for the Petitions, presented lists of witnesses in the case of the petitions of divers electors of the *Second Riding* of the County of *York*, and of *Connel James Baldwin*, Esquire, which were read as follows :—

A list of witnesses on the part of *Charles Baker* and others Petitioners complaining of the undue election and return of *George Duggan*, Esq.,

a member to represent the second Riding of the county of York in the present Parliament.

Last of Witnesses presented in behalf of Petitioners	NAMES.		RESIDENCE.		NAMES.		RESIDENCE.	
	<i>John Woodil.</i>		Gore of Toronto.		<i>John Hyde.</i>		Streetsville.	
	<i>Patrick Freel.</i>		Township of Chinguacousy.		<i>Mrs. Hyde.</i>		do.	
	<i>Peter M-Intyre.</i>		do.	do.	<i>John Crombie, M. D.,</i>		do.	
	<i>John Nesbitt, Jun.,</i>		do.	do.	<i>Joshua Bennett,</i>		do.	
	<i>John Greer.</i>		do.	do.	<i>Josiah Bennett,</i>		do.	
	<i>Adam Richie.</i>		do.	do.	<i>Richard Cuthbert,</i>		do.	
	<i>William Richardson,</i>		do.	do.	<i>Ben. Monger, J. P.,</i>		Township of Toronto.	
	<i>Joseph Bradt.</i>		do.	do.	<i>John Park,</i>		do.	do.
	<i>William Dennis.</i>		do.	Albion.	<i>William Johnston,</i>		do.	do.
	<i>James Johnson.</i>		do.	do.	<i>Samuel Brown,</i>		do.	do.
	<i>Francis M-Donald.</i>		do.	do.	<i>John M-Mullin,</i>		do.	do.
	<i>John Godboll.</i>		do.	do.	<i>Daniel Douglass,</i>		do.	do.
	<i>William Fuller.</i>		do.	do.	<i>Abraham Murrach.</i>		do.	do.
	<i>George Bolton.</i>		do.	do.	<i>Robert Walsh,</i>		Gore of Toronto.	
	<i>Henry Roadhouse.</i>		do.	do.	<i>James Morrison.</i>		do.	do.
	<i>John Foster.</i>		Springfield.		<i>Francis Logan,</i>		City of Toronto.	

JOHN ROSS,

Council for Petitioners.

Mr. *Duggan*, handed in a list of the witnesses required in behalf of the sitting member for the second Riding of the county of York, which was also read by the Clerk as follows:—

List of Witnesses required on behalf of *George Duggan*, Esq., sitting member for the second Riding of the county of York, to resist the Petition of *Connel J. Baldwin*, and of *Charles Baker*, and others, electors of the said Riding complaining against the election and return of the said *George Duggan*, to serve as a member of the Legislative Assembly of Canada for said Riding:—

Last of Witnesses on behalf of sitting Member	NAMES.		RESIDENCE.		PROFESSION.
	<i>William H. Patterson.</i>		Township of Toronto,		Merchant.
	<i>John Barnhart, Senior.</i>		do.	do.	Gentleman.
	<i>John Barnhart, Junior.</i>		do.	do.	Physician.
	<i>George Hawkins,</i>		do.	do.	Gentleman.
	<i>Benjamin Switzer,</i>		do.	do.	do.
	<i>George L. Allan.</i>		do.	do.	Merchant.
	<i>John Embleton.</i>		do.	do.	Land Agent.
	<i>John Street,</i>		do.	do.	Miller.
	<i>John Beatty,</i>		do.	do.	Miller.
	<i>Henry Rutledge, Senior.</i>		do.	do.	Yeoman.
	<i>Henry Rutledge, Junior,</i>		do.	do.	do.
	<i>John Glendinning.</i>		do.	do.	do.
	<i>William Duggan,</i>		do.	do.	Gentleman.
	<i>Star Jarvis,</i>		do.	do.	Esquire.
	<i>Nathaniel Stern.</i>		do.	do.	Yeoman.
	<i>Ephraim Stern.</i>		do.	do.	do.
	<i>Thomas B. Phillips.</i>		do.	do.	do.
	<i>William Rudsall,</i>		do.	do.	Esquire.
	<i>David Neelands.</i>				
	<i>John Lennox.</i>				
	<i>James M-Bride.</i>				
	<i>John Irwin,</i>				
	<i>Isaac Wiley.</i>				
	<i>John Rutledge, Senior,</i>				
	<i>James Crawford,</i>				
	<i>William Cox.</i>				
	<i>Robert Cox.</i>				
	<i>George Cox.</i>				
	<i>James Chambers.</i>				
	<i>Stephen Street.</i>				
	<i>John Street.</i>				
	<i>James Aikin,</i>				
	<i>Joseph Horning.</i>				
	<i>Samuel Switzer, Senior,</i>				
	<i>Charles Barnhart.</i>				

All of the Township of Toronto, Yeomen.

NAMES.	RESIDENCE.	PROFESSION.	List of Witnesses on behalf of sitting Member.
Edward W. Thompson,	of Toronto Township,	Esquire.	
Benjamin Monger,	of do. do.	do.	
William Thompson,	of do. do.	do.	
Joseph Dean,	of Chinguacousey,	Yeoman.	
John Mossop,	of the City of Toronto,	do.	
Joseph O'Neil,	of Chinguacousey,	do.	
Daniel Merrigold,	Toronto Township,	do.	
J. R. Meirs,	do. do.	Merchant.	
Joseph Evans,	do. do.	do.	
J. M. Chaffee,	do. do.	do.	
George Wright,	do. do.	do.	
J. Hector, (Returning Officer),	City of Toronto,	Esquire.	
Thomas Galt, (Poll Clerk.)	do. do.	do.	
William Acheson,	of Albion,	Inn-keeper.	
Robert Cotton,	Toronto Township,	Sadler.	
James Cotton,	do. do.	Merchant.	
John Tilt,	of Toronto Township,	do.	
John Wiggins,	of Chinguacousey,	Yeoman.	
Patrick Heron,	Toronto Township,	Carpenter.	
William Gardner,	do. do.	Mason.	
William Kent,	Esquesing,	Yeoman.	
Francis Kent,	Chinguacousey,	do.	
James Lee,	Toronto Township,	Schoolmaster.	
John Ekain,	do. do.	Carpenter.	
John Beatty,	City of Toronto,	Merchant.	
Francis Logan,	do. do.	do.	
William Beatty,	do. do.	do.	
William Clay,	Esquesing,	do.	
James Trotter,	City of Toronto,	Inn-keeper.	
John Duggan,	do. do.	Esquire.	
Josiah Bennett,	Toronto Township,	Blacksmith.	
John Park,	do. do.	Yeoman.	
Samuel Brown,	do. do.	do.	
Andrew Wolf,	do. do.	do.	
Peter Casler,	do. do.	do.	
John Burns,	do. do.	do.	
Henry Cole,	do. do.	do.	
Stanous Daniels,	City of Toronto,	Inn-keeper.	
James Daniels,	do. do.	Gentleman.	
John Hewitt,	of Albion,	Yeoman.	

JOHN DUGGAN.

Counsel for sitting member.

Kingston, 16th, 1841.

At five minutes to four o'clock, P. M., the parties, with Mr. Alfred Patrick, Clerk to the Select Committee, retired for the purpose of striking said Committee.

Parties retire.

At twenty minutes after four o'clock P. M., the Clerk to the Select Committee delivered to the Clerk of the House a list containing the names of nine members unstruck, composing the Select Committee, which is as follows:—

Clerk returns with list of Names composed the Select Committee.

Names of the Members remaining on the list to try the merits of the Petition of divers Electors of the second Riding of the County of York, and of Connel James Baldwin, Esquire, complaining of the undue election and return of George Duggan, Esquire, to serve as a representative for the said second Riding of the County York, in this present Parliament.

- | | | |
|------------------|-------------------|---------------------|
| 1. Mr. Thompson, | 4. Mr. Armstrong, | 7. Mr. Henry Smith, |
| 2. Mr. Taché, | 5. Mr. Merritt, | 8. Mr. Parke, |
| 3. Mr. Child, | 6. Mr. Borne, | 9. Mr. Roblin, |

Nominee for the Petitioners Mr. Hincks,
Nominee for the sitting Member Mr. Aylwin.

ALFRED PATRICK,
Clerk to Select Committee.

The said *nine* Members and the Nominees were then severally sworn at the table by the Clerk, in the usual manner.

Committee to meet at nine A. M. to-morrow in Committee Room No. 1.

On Motion of Mr. *Hincks*, seconded by Mr. *Armstrong*,
Ordered—That the Committee appointed to try the merits of the Petitions of divers electors of the second Riding of the County of *York*, and of *Connel James Baldwin*, Esquire, complaining of the undue election and return of *George Duggan*, Esquire, do meet in the Committee Room No. 1. of this House, *to-morrow*, at 9 o'clock A. M.

Petitions brought up.

The following Petitions were severally brought up, and laid on the table :—

William Lemoine and others.

By Mr. *Henry Smith*—The Petition of *William Lemoine*, and others, inhabitants of the *first* concession of the Township of *Kingston*, *Midland* District.

Board of Trade of Kingston.

By the Honourable Mr. *Harrison*—The Petition of the Board of Trade of the Town of *Kingston*.

Rev. S. E. Fraser & others.

By the Honourable Mr. *Daly*—The Petition of the Reverend *S. E. Fraser*, and others, of the Township of *Inverness*, County of *Megantic*.

Matthew Rourke.

By Mr. *Johnston*—The Petition of *Matthew Rourke*, of *Kingston*, Merchant.

Bill to increase assessment in County of Simcoe passed.

An engrossed Bill to increase the sum which may be raised, under a certain Act therein mentioned, for the defraying the cost of certain public buildings in the County of *Simcoe*, was read for the third time.

Resolved—That the Bill do pass.

Ordered—That Captain *Steele* do carry the said Bill to the Legislative Council, and desire their concurrence.

Bill to incorporate Montreal Board of Trade passed.

An engrossed Bill to incorporate the *Montreal* Board of Trade, was read for the third time.

Resolved—That the Bill do pass.

Ordered—That the Honourable Mr. *Moffatt* do carry the said Bill to the Legislative Council, and desire their concurrence.

Return of Police Force in Canada East laid before the House.

The Honourable *D. Daly* presented, pursuant to an Address to His Excellency, the Governor General, of the 23d of *July* last, a Return relative to the Police force in that part of the Province called *Lower Canada*.

For the said Return, see Appendix (Z.)

Petitions read.

Pursuant to the Order of the day, the following Petitions were read :—

Of P. Dnnn and others.

Of *Peter Dnnn*, and others, the Committee of Management of the *Montreal Recollet* School Institution, praying for an aid toward the support of the Institution.

Of T. Renwick and others.

Of *Thomas Renwick*, and others, inhabitants of the *Western* District, praying for a further reduction of the duty on Tobacco, the produce of this Colony.

Of Rev. J. G. Geddes and others.

Of the Reverend *J. G. Geddes*, and others, Ministers of the Church of *England* and *Scotland*, and the Methodist Church of *Barton*, *Gore* District, praying that an Act be passed to empower the Vice Chancellor to appoint Trustees to execute the Will of the late *John Butt*.

Of W. Walker (Chairman Quebec Board of Trade.)

Of *William Walker*, Chairman, of the Board of Trade of *Quebec*, suggesting certain amendments to the Lumber Trade Bill, now before the House.

Of M. B. Southwick and others.

Of *M. B. Southwick*, and others, residing in the Mountain of *Saint Hilaire De Rouville*, District of *Montreal*, praying for an aid for establishing an *English* Public School.

Ordered—That the Petition of *Thomas Remwick*, and others, inhabitants of the *Western* District, be referred to the Select Committee appointed to examine into the prices paid, and the methods adopted, for the transit of products on the different communications within this Province, and to which was referred the Message of His Excellency, the Governor General, relating to the introduction of the products of the Province into the Ports of *Great Britain* free of duty.

Petition Of T. Remwick and others, referred.

On motion of Mr. *Raymond*, seconded by Mr. *Armstrong*.

Resolved—That the Petition of the Trustees of the College of *L'Assomption*, presented to the House on the 2d of *July* last, be referred to a Select Committee, composed of the Honourable Mr. *Viger*, Mr. *Neilson*, Mr. *Armstrong*, and Mr. *Morin*, to examine the contents thereof, and report thereon with all convenient speed, by Bill, or otherwise; with power to send for persons, papers and records.

Petition of Trustees of the College of L'Assomption referred to Select Committee.

Ordered—That the Petition of the Mayor, Aldermen and Commonalty, of the City of *Toronto*, relative to the monies arising from tavern and other licenses, be referred to the Select Committee to which was referred the Petition of the Justices of the Peace of the *Home* District; and that the said Committee have power to report from time to time.

Petition of Mayor and Corporation of Toronto, respecting Tavern Licenses, referred to Select Committee.

On motion of Sir *Allan MacNab*, seconded by Mr. *Sherwood*.

Resolved—That the Petition of the Rev. *J. G. Geddes*, and others, Ministers of the Church of *England* and *Scotland*, and the Methodist Church, of *Barton, Gore* District, be referred to a Select Committee, composed of Mr. *Cartwright*, and Mr. *Roblin*, to examine the contents thereof and report thereon with all convenient speed, by Bill, or otherwise; with power to send for persons, papers, and records.

Petition of Rev. J. G. Geddes and others, referred.

Ordered—That the Petition of *P. A. Weibrenner*, of *Montreal*, presented to the House on the 19th of *July*, be referred to the Special Committee on the contingent accounts and expenses of the present Session.

Petition of P. A. Weibrenner, referred.

Ordered—That the Petition of *William Walker*, Chairman, of the Board of Trade, of *Quebec*, be referred to the Committee of the whole House on the Bill to regulate the inspection and measurement of Timber, Masts, Spars, Deals, Staves, and other articles of a like nature, in the Ports of *Quebec*, and *Montreal*, and for other purposes relative to the same.

Petition of W. Walker (chairman Quebec Board of Trade,) referred.

Ordered—That the Petition of the Reverend *William Muir*, and others, of the Townships of *Chatham* and *Grenville*, presented to the House on the 12th instant, be referred to the Select Committee to which was referred the Bill to repeal certain Acts therein mentioned, and to make provision for the establishment and maintenance of Common Schools throughout this Province, and other references.

Petition of Rev. W. Muir and others, referred.

On motion of Mr. *Durand*, seconded by Mr. *Hopkins*,

Ordered—That the Order of the day for the House in Committee on the Bill to established a Company by the name of the "*Sydenham Mountain Road Company*," lost by the adjournment of the House of *Friday* last, be revived, and that this House will, on *Friday* next, resolve itself into the said Committee.

Order of day for the House in Committee on Sydenham Road Company Bill, revived, for Friday next.

On motion of Mr. Attorney General *Draper*, seconded by Mr. Solicitor General *Day*,

Ordered—That the Order of the day for the second reading of the Bill to alter and amend the Laws now in force, in that part of this Province formerly *Upper Canada*, regulating the District Courts, lost by the adjournment of the House of *Friday* last, be revived, and that the said Bill be read a second time on to-morrow.

Order of day, for 2nd reading U. C. District Court Bill revived, for to-morrow.

Order of day for 2nd reading of Bill to purchase Welland Canal Stock, revived, for to-morrow.

Ordered—That the Order of the day for the second reading of the Bill to authorize the Stock held by private parties in the *Welland Canal* to be purchased on behalf of the Province, lost by the adjournment of the House of *Friday* last, be revived, and that the said Bill be read a second time on to-morrow.

Amendments to Bill for Return of Fines levied by Justices, taken into consideration.

On motion of Mr. Attorney General *Draper*, seconded by Mr. Solicitor General *Day*,

Ordered—That the amendments made by the Legislative Council to the Bill intituled “*An Act to require Justices of the Peace to make returns of convictions and fines, and for other purposes therein mentioned,*” be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth :

Amendments.

Press 2. line 30.—after “adjourned” insert “to cause to be published the said returns in one public Newspaper in the said District, and if there be no such Newspaper, then in a Newspaper of an adjoining District, and also.”

Press 2, line 38.—After “Pound” insert, “besides the expense of publication.”

Press 2, line 39.—After “thereof” insert the following clause “And be it enacted, that it shall be the duty of the Clerk of the Peace of each District, within twenty days after the end of each Quarter Sessions, of the Peace, to transmit to the Inspector General of this Province, a true copy of all such returns made within his District.”

Engrossed amendments,

Attest,

JAMES FITZGIBBON,

Clerk Legislative Council.

Amendments agreed to.

And the said amendments being again read they were agreed to by the House.

Ordered—That Mr. Attorney General *Draper*, do carry back the the said Bill to the Legislative Council, and acquaint their honors that this House hath agreed to their amendments.

Order of day for House in Committee on U. C. District Council Bill, revived, and ordered for to-morrow.

On motion of the Honourable Mr. *Harrison*, seconded by Mr. Attorney General *Draper*,

Ordered—That the Order of the day for the House in Committee on the Bill to provide for the better internal Government of that part of this Province heretofore *Upper Canada*, by the establishment of Local or Municipal authorities therein, and on the Instruction to the said Committee, lost by the adjournment of the House of *Friday* last, be revived, and that this House will, on to-morrow, resolve itself into the said Committee.

Order of day for House in Committee on Public Lands sale bill, revived and ordered for to-morrow.

Ordered—That the Order of the day for the House in Committee on the Bill for the disposal of Public Lands, lost by the adjournment of the House on *Friday* last, be revived, and that this House will, on to-morrow, resolve itself into the said Committee.

Order of day for House in Committee on Bill to Amend U. C. Chancery act, revived, and ordered for to-morrow.

Ordered—That the Order of the day for the House in Committee on the engrossed Bill, from the Legislative Council, intituled “*An Act to explain and amend an Act passed in the Provincial Parliament of Upper Canada, in the seventh year of the Reign of King WILLIAM the Fourth, intituled ‘An Act to establish a Court of Chancery in this Province,’ and to render more effectual the said Court,*” lost by the adjournment of the House of *Friday* last, be revived, and that this House will, on to-morrow, resolve itself into the said Committee.

On motion of Mr. *Powell*, seconded by Mr. *Thompson*,

Ordered—That the Order of the day for the House in Committee on the Petition of divers inhabitants of the Township of *Oakland*,—of *Samuel Garnsey*, and others, inhabitants of the Township of *Bayham*,—and of *James Covernton* and others, Magistrates and inhabitants of the District of *Talbot*, lost by the adjournment of this House of *Friday* last, be revived, and that the House will, on to-morrow, resolve itself into the said Committee..

Order of day for House in Committee on Petitions of inhabitants of *Oakland*. & *S. Garnsey* and others, &c. revived, and ordered for *Friday*.

Ordered—That Mr. *Cameron*, have leave to bring in a Bill to enable persons authorized to practice the law, or to Act as surveyors, in *Upper* or *Lower Canada*, to practice or act in the Province of *Canada*.

Bill to enable Lawyers and Surveyors in U. or L. Canada to practise in Canada, brought in.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Ordered—That the said Bill be read a second time *Monday* next.

On motion of Mr. *Prince* seconded by Mr. *Thorburn*,

Ordered—That the Order of the day for the second reading of the Bill for the relief of Purchasers at certain Sheriffs' sales, made after such Sheriffs have been out of Office, lost by the adjournment of the House of *Monday* last, be revived, and that the said Bill be read a second time on *Wednesday* next.

Order of day for 2nd reading Bill for relief of purchasers at Sheriffs' sales, revived, and ordered for *Wednesday*.

Ordered—That the Order of the day for the second reading of the Bill to abolish imprisonment for debt in *Canada West*, except in certain cases, lost by the adjournment of the House of *Monday* last, be revived, and that the said Bill be read a second time on *Friday* next.

Order of day for 2nd reading Bill to abolish Imprisonment for Debt in *Canada West*, revived, and ordered for *Friday*.

Ordered—That the Order of the day for the House in Committee to consider the expediency of imposing a duty on Agricultural and other produce, and also on live stock, imported into this Country from the *United States of America*, lost by the adjournment of *Friday* last, be revived, and that this House will, on *Friday* next, resolve itself into the said Committee.

Order of day for House in Committee on imposing a duty on produce imported from the U. States, revived, and ordered for *Friday*.

Ordered—That Mr. *Black* have leave to bring in a Bill to provide for the publication of Law reports in that part of the Province called *Lower Canada*.

Bill for publication of Law Reports in *Canada East*, brought up.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time.

Ordered—That the said Bill be read a second time on *Wednesday* next.

On motion of Mr. *Christie*, seconded by Mr. *Borne*,

Ordered—That the Order of the day for the House in Committee on the Bill to make more ample provision than heretofore for the due administration of justice in the Territorial division of *Gaspé* be discharged, and that the said Bill be referred to a select Committee composed of Mr. *Neilson*, Mr. *Black*, Mr. *Borne*, and Mr. *Aylwin*, to report thereon with all convenient speed; with power to send for persons, papers, and records.

Bill for Administration of Justice in *Gaspé* referred to Select Committee.

On motion of Mr. Solicitor General *Day*, seconded by Mr. Attorney General *Draper*,

Ordered—That the Order of the day for the House in Committee on the Bill to repeal certain parts of an Act therein mentioned, and to provide for taking a periodical census of the inhabitants of this Province, and for obtaining the other statistical information therein mentioned, lost by the adjournment of the House of *Thursday* last, be revived, and that this House will, on *Thursday* next, resolve itself into the said Committee.

Order of day for House in Committee on Bill to provide for periodical Census, revived, and ordered for *Thursday*.

Order of day for House in Committee on Bill to amend U. C. Road Act, revived, and ordered for Friday.

On motion of Mr. *Johnston*, seconded by Mr. *Prince*,
Ordered—That the Order of the day for the House in Committee on the Bill to alter and amend an Act of the Legislature of *Upper Canada*, intitled “ *An Act to provide for the laying out, amending, and keeping in repair, the public highways and roads in this Province, and to repeal the Laws now in force for that purpose,*”—lost by the adjournment of the House of *Friday* last, be revived, and that this House will, on *Friday* next, resolve itself into the said Committee.

Address to His Excellency for copy of Blue Books for U. and L. Canada, ordered.

On motion of Mr. *Aylwin*, seconded by the Honourable Mr. *Viger*.
Resolved—That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be laid before this House, the Books commonly called the “ *Blue Book*”, for the late Provinces of *Upper* and *Lower Canada*, for the last two years.

Ordered—That the said Address be presented to His Excellency by such Members of this House as are of the Honourable the Executive Council of this Province.

Order of the day for House in Committee on 4 Bills on Criminal Law, postponed.

Ordered—That the Order of the day for the House in Committee on the Bill for improving the administration of Criminal Justice in this Province ; the Bill for consolidating and amending the Laws in this Province relative to offences against the person ; the Bill for consolidating and amending the Laws in this Province relative to larceny and other offences connected therewith ; and the Bill for consolidating and amending the Laws in this Province relative to malicious injuries to property, be postponed until *Friday* next.

Bill to confirm an arrangement of Magistrates of Gore & Wellington Districts, read 2nd time.
 Bill ordered for Com. of whole, on Friday next.

A Bill to confirm a certain arrangement entered into by the Magistrates of the Districts of *Gore* and *Wellington*, was, according to order, read a second time.

Ordered—That the said Bill be referred to a Committee of the whole House on *Friday* next.

Bill for regulation of Notaries in L. C. read second time.

A Bill to regulate the admission of persons to the Notarial Profession in that part of the Province called *Lower Canada*, was, according to order, read a second time.

Ordered for Committee of whole, on Monday next.

Ordered—That the said Bill be referred to a Committee of the whole House on *Monday* next.

Bill to establish Mutual Insurance Companies read 2nd time and ordered for Com. of whole, on Wednesday next.

A Bill to authorize the establishment of Mutual Insurance Companies in the several Districts of this Province, was, according to order, read a second time.

Ordered—That the said Bill be referred to a Committee of the whole House on *Wednesday* next.

Bill to permit U. C. Bank to carry on business at Toronto, read 2nd time, and ordered to be engrossed.

A Bill to permit the business of the Bank of *Upper Canada*, to be carried on in *Toronto*, as usual, was, according to order, read a second time.

Ordered—That the said Bill be engrossed.

Bill to regulate practice of medicine, &c., read 2nd time.

A Bill to regulate the practice of Medicine, Surgery, and Midwifery, within this Province, was, according to order, read a second time.

Bill referred to a select Committee.

On motion of Mr. *McCulloch*, seconded by Mr. *Boutillier*.
Resolved—That the said Bill be referred to a select Committee composed of Mr. *Boutillier*, Mr. *Taché*, Mr. *Foster*, Mr. *Harmannus Smith*, Mr. *Gilchrist*, and Mr. *Morin*, to report thereon with all convenient speed ; with power to send for persons, papers, and records.

On motion of Mr. Neilson, seconded by Mr. Price.

Resolved—That the House do now proceed to the trial of the controverted election for the County of *Saint Maurice*, which was interrupted by the adjournment on *Saturday last*.

House proceeds to trial of controverted election of St. Maurice.

The House accordingly proceeded on such trial.

The names of the members sworn to try the merits of the Petition being called over, the following were found absent :—

Mr. *Buchanan*.
Mr. *Cameron*.
Mr. *Chesley*.
Mr. Attorney General *Draper*.
Mr. *Gilchrist*.
Mr. *J. S. Macdonald*.
Mr. *McLean*.
Mr. *Simpson*.

Members absent.

The Counsel for the Petitioners being called,

Mr. *Gugy* again appeared at the Bar.

The witnesses were then desired by Mr. Speaker to withdraw.

Mr. *Gugy* addressed the House on the right of the sitting member to examine further witnesses.

Joseph E. Turcotte, Esq., the sitting member, also addressed the House on the same subject.

Mr. *Gugy* replied.

The sitting member having declared that he had no further evidence to offer.

Sitting members evidence concluded.

On motion of Mr. *Boswell*, seconded by Mr. *Price*,

Ordered—That the Counsel for the Petitioners be again heard.

Mr. *Gugy* was accordingly heard on the merits of the case.

Mr. *Gugy* then withdrew.

Counsel for Petitioners again heard.

The names of the Members sworn to try the merits of the Petition being again called over, the following were found absent :—

Mr. *Buchanan*.
Mr. *Burnet*.
Mr. *Cameron*.
Mr. *Chesley*.
Mr. *Derbishire*.
Mr. Attorney General *Draper*.
Mr. *Gilchrist*.
The Honourable Mr. *Harrison*.
Mr. *J. S. McDonald*.
Mr. *McLean*.
Mr. *Roblin*.
Mr. *Simpson*.
Mr. *Watts*.—Then—

Members absent.

On motion of Mr. *Price*, seconded by Mr. *Borne*,

Resolved—*Nemine contra dicente*—That the Petitioners against the return of the sitting member for the County of *St. Maurice* have failed to make out a case sufficient to unseat the sitting member, and that the said Petition be dismissed.

Resolution declaring that petitioners have failed to establish their charges.

Mr. *Price* moved, seconded by Mr. *Borne*,

That the said Petitioners be condemned to pay the costs and charges incurred by the sitting member, in defending his seat against the said Petitioners.

Motion that the cost be defrayed by petitioners.

The question having been put upon the said motion, a division

ensued, and the names being called for, they were taken down as followeth :—

YEAS.

<i>Armstrong,</i>	<i>Boutillier,</i>	<i>Hincks,</i>	<i>Quesnel,</i>
<i>Aylwin,</i>	<i>Christie,</i>	<i>Hopkins,</i>	<i>Raymond,</i>
<i>Baldwin,</i>	<i>Cook,</i>	<i>Parent,</i>	<i>Taché,</i>
<i>Barthe.</i>	<i>Durand,</i>	<i>Price,</i>	<i>Viger, Hon. D.B.</i>
<i>Borne,</i>			(17).

NOES.

<i>Black,</i>	<i>Foster,</i>	<i>Morris,</i>	<i>Smith, (Went.)</i>
<i>Boswell,</i>	<i>Johnston,</i>	<i>Ogden, Hon. C. R.</i>	<i>Thompson,</i>
<i>Crane,</i>	<i>MacNab, Sir. A. N.</i>	<i>Parke,</i>	<i>Thorburn,</i>
<i>Delisle.</i>	<i>McCulloch,</i>	<i>Powell,</i>	<i>Williams.—19.</i>
<i>Duggan,</i>	<i>Moffatt, Hon. G.</i>	<i>Robertson,</i>	

Motion lost.

So it passed in the negative.

Order of day for House in Com. on amending Montreal Rail Road Ordinance postponed, until Wednesday next.

On motion of Mr. *Holmes*, seconded by Mr. *Raymond*,
Ordered—That the Order of the day for the House in Committee to take into consideration the expediency of amending the Ordinance of the Special Council of the 4th VICTORIA, chapter 41, authorizing the formation of a Rail Road from *Montreal* to *Coteau-du-Lac*, be postponed until *Wednesday* next.

The names of the members present were taken down as followeth :—

Mr. Speaker,

No Quorum.

Mr. *Baldwin*, Mr. *Borne*, Mr. *Boswell*, Mr. *Boutillier*, Mr. *Delisle*, Mr. *Holmes*, Mr. *Hopkins*, Mr. *Johnston*, Mr. *Morin*, Mr. *Parke*, Mr. *Powell*, Mr. *Price*, Mr. *Raymond*, Mr. *Small*, Mr. *Harmanus Smith*, and the Hon. Mr. *Viger*.

And at three quarters past 10 o'clock at night, Mr. Speaker adjourned the House for want of a Quorum.

Martis, 17^o die Augusti ;

Anno 5^o Victoriae Reginae, 1841.

A Message was brought by *Frederick Starr Jarvis*, Esquire, Gentleman Usher of the Black Rod.

MR. SPEAKER,

House summoned to meet His Excellency at Bar of Legislative Council.

His Excellency, the Governor General desires the immediate attendance of this Honourable House, in the Legislative Council Chamber.

House proceeds accordingly.

Accordingly Mr. Speaker, with the House, went to the Council Chamber.

Speaker reports His Excellency's assent to certain Bills.

And being returned,
Mr. Speaker reported, that, agreeable to the commands of His Excellency, the Governor General, the House had attended His Excellency in the Legislative Council Chamber, where His Excellency was pleased to

give, in Her Majesty's name, the Royal Assent to the following Public and Private Bills:—

“ An Act to permit Robert John Turner to practise as Solicitor in the Court of Chancery.”

Bill to admit R. J. Turner to practice.

“ An Act to amend an Act of that part of the Province called Upper Canada, intituled ‘ An Act to provide for the making and keeping in repair the West Gwillimbury Road and Bridge, and to authorize the erection of a Toll Gate thereon.’”

Bill to amend West Gwillimbury Road Act.

“ An Act to incorporate the Ladies Benevolent Society of Montreal.”

Montreal Ladies Benevolent Society Bill.

“ An Act to enable Members of the Legislative Assembly, for places within that part of the Province formerly constituting Upper Canada, to vacate their seats in certain cases, and for other purposes.”

Bill to allow members for Canada West to vacate their seats.

“ An Act to amend and enlarge an Act of the Legislature of the late Province of Upper Canada, intituled ‘ An Act to ascertain and provide for the payment of all just claims arising from the late Rebellion and Invasions of this Province.’”

Bill to amend Act for payment of claims for losses.

“ An Act to repeal certain Ordinances therein mentioned, and to establish a Board of Works in this Province.”

Board of Works Bill.

“ An Act to amend the Militia Law of that part of this Province formerly constituting the Province of Upper Canada.”

Bill to amend Militia Law of Canada West.

“ An Act to facilitate the despatch of business in the Court of Queen's Bench in Upper Canada.”

Bill to facilitate despatch of business in Court of Queen's Bench.

“ An Act to amend a certain Ordinance of the Legislature of Lower Canada, for making a Rail Road from Sherbrooke to the River Richelieu.”

Bill to amend Sherbrooke Rail Road Ordinance.

“ An Act to exempt from duty all copies of the Holy Scriptures imported into this Province by Sea.”

Bill to exempt Bibles from import duty.

The following Petitions were severally brought up and laid on the Table:—

Petitions brought up.

By Captain Steele—The Petition of the Reverend James Quinlan, and others, of *Barrie*, County of *Simcoe*.

Rev. J. Quinlan, and others.

By Mr. Merritt—The Petition of Charles Williams, of the Township of *Rainham*.

E. Williams.

By Mr. Robertson—The Petition of Thomas Kains, and others, of the Township of *Grenville*.

T. Kains, and others.

An engrossed Bill to permit the business of the Bank of *Upper Canada* to be carried on in *Toronto*, as usual, was read for the third time.

Resolved—That the Bill do pass.

Bill to allow U. C. Bank to carry on business in *Toronto*, passed.

Ordered—That Mr. Hincks, do carry the said Bill to the Legislative Council, and desire their concurrence.

On motion of Mr. Durand, seconded by Mr. Prince.

Resolved—That the Petition of T. Sandilands, and others, inhabitants of the District of *Wellington*, presented to the House on the 11th instant, be referred to a Select Committee composed of Mr. Roblin, Captain Steele, Mr. Hopkins, and Mr. Harmanus Smith, to examine the contents thereof, and report thereon with all convenient speed; with power to send for persons, papers, and records.

Petition of T. Sandilands and others referred to select Com.

Mr. Morris, from the Select Committee to which was referred the Petition of Henry Weeks, of *Yonge*, District of *Johnstown*, presented to the House the report of the said Committee, which was again read at the Clerk's Table, and is as followeth:—

Select Com. on petition of H. Week's report.

“ The Petitioner experienced severe loss and inconvenience in consequence of an erroneous Government Survey of Lot number 19, in the 5th Concession of *Yonge*, in the District of *Johnstown*, the particulars of which

Report.

are fully set forth by the said *Henry Weeks*, in his Petition to Your Honourable House.

Your Committee after a careful investigation of the case have come to the conclusion that the Petitioner appears to have sustained a pecuniary loss to the extent of £350, and are of opinion that Your Honourable House should strongly recommend it to the consideration of the Executive Government."

Report referred to Committee of whole.

Ordered—That the said report be referred to a Committee of the whole House on *Wednesday*, the 25th instant.

Time changed for meeting of Committee on contested election for 2nd Riding of York, to 4 o'clock, P. M., this day.

On motion of Mr. *Hincks*, seconded by Mr. *Roblin*,

Ordered—That the Order of the House of Yesterday "That the Committee appointed to try the merits of the Petition of divers electors of the 2nd Riding of the County of *York*, and of *Connel James Baldwin*, Esquire, complaining of the undue election and return of *George Duggan*, Esquire, do meet in the Committee Room number one, of this House, to-morrow, at nine o'clock, A. M." be discharged, and that the said Committee do meet at four o'clock P. M., this day, in the Committee Room, number two, of this House.

Committee on contested election for town of Niagara report absence of certain members.

Mr. *Hale*, Chairman of the select Committee appointed to try the merits of the Petition of *Robert Melville* and *John McBride*, electors of the Town of *Niagara*, complaining of the undue election and return of *Edward Clarke Campbell*, Esquire, sitting Member for the said Town of *Niagara*, reported that, in conformity with the order of the House, the said Committee met this day,—that they were, however, unable to proceed to business in consequence of the absence of Messieurs *Chesley* and *Gilchrist*, Members of the said Committee.

House in Committee on amending Act of U. C. respecting Grand River Navigation.

On motion of Mr. Attorney General *Draper*, seconded by Mr. Solicitor General *Day*.

Resolved—That this House do now resolve itself into a Committee of the whole House, to consider the expediency of amending so much of the Act of the Parliament of *Upper Canada*, of the 2nd. WILLIAM the Fourth, chapter 13, as relates to the appointment of the Directors of the *Grand River* Navigation Company.

The House accordingly resolved itself into the said Committee.

Captain *Steele* took the chair of the said Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Resolution reported.

And Captain *Steele*, reported that the Committee had come to a Resolution, which Resolution was again read at the Clerk's Table, and agreed to by the House, and is as followeth:—

Resolution that certain Directors of the Grand River Navigation Company, should be appointed by the Crown.

Resolved—That so long as three fourths of the Stock of the *Grand River* Navigation Company are held by, or in Trust for, the *Six Nation* Indians, it is just that a proportion of the number of the Directors of that Company should be nominated and appointed by the Crown, as the Guardian of the rights and property of the *Six Nation* Indians.

Bill to amend Act for appointment of Directors of Grand River Navigation Company brought in.

Ordered—That Mr. Attorney General *Draper*, have leave to bring in a Bill to amend the Law regulating the Election of Directors of the *Grand River* Navigation Company.

He accordingly presented the said Bill to the House and the same was received and read for the first time.

Ordered—That the said Bill be read a second time, on *Thursday* next.

Motion to extend the time for Commission on Niagara contested election to report.

Mr. *Small*, moved, seconded by Mr. *Baldwin*,

That the period for the Commissioners now taking evidence on the controverted election for the Town of *Niagara*, on the Petition of *Robert*

McEille, and *John McBrule*, complaining of the undue election and Return of *Edward Clarke Campbell*, Esquire, the sitting Member for the Town of *Niagara*, to report to this House, be enlarged until *Saturday*, the 21st., instant.

The question having been put upon the said motion, a division ensued, and it was carried in the affirmative.

Carried.

Ordered—accordingly.

A Message from the Legislative Council, by *John Godfrey Spragge*, Esquire, Master in Chancery.

Message from Legislative Council.

MR. SPEAKER.

The Legislative Council have passed the Bill, intituled "*An Act to grant authority to Licensed Surveyors in that part of this Province called Upper Canada, to administer an Oath in certain cases, and to protect them while in the discharge of their duty in Surveying Lands,*" without any amendment.

Bill to enable Surveyors in U. C. to administer an oath, passed Leg. Council.

And also,

LEGISLATIVE COUNCIL, TUESDAY, 17TH AUGUST, 1841.

Ordered—That the Master in Chancery do go down to the Legislative Assembly, and acquaint that House that the Legislative Council request that leave may be given to *David M. Armstrong*, and *Robert N. Watts*, Esquires, two of their members, to be examined before the Special Committee to whom is referred the Bill intituled "*An Act to amend two certain Ordinances therein mentimed, relative to Winter Roads in that part of the Province formerly Lower Canada,*" to-morrow, at the hour of one in the afternoon.

Leave requested for Messrs. Armstrong, and Watts, to attend Committee of Legislative Council.

On motion of Mr. *Hincks*, seconded by Mr. *Small*.

Resolved—That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be laid before this House a detailed statement of the Receipts and Expenditure of the casual and territorial revenue of the late Province of *Upper Canada*, from the period which the same was last laid before the Legislature up to the 9th of *February* last; also a statement of the Receiver General of the late Province of *Upper Canada's* receipts and expenditure, from the 1st of *January*, 1841, up to the 9th of *February*, 1841, and a general statement of the receipts and expenditure, from the 9th of *February*, 1841, to the 30th of *June*, 1841; also a return of the Crown's proportion of seizures, received from Collectors in *Upper Canada*, since the last return; the fees on marriage licenses, licenses for practising physic and surgery, and also a return of all fees collected in any public office in this Province, under what law or authority collected, and to whom paid.

Address to His Excellency for casual and Territorial Revenue Acts and certain other returns, ordered.

Ordered—That the said Address be presented to His Excellency by such members of this House as are of the Honourable the Executive Council of this Province.

On motion of Mr. *Neilson*, seconded by Mr. *Aylwin*.

Resolved—That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House a statement of the sums of money received into the Receiver General's Chest, in each year subsequently to the 25th of *February*, 1832, arising out of the Estates of the late Order of Jesuits, and of the amount thereof at the disposal of the Legislature for the "purposes of Education exclusively," conformably to the first clause of the Statute of *Lower Canada*, of the 2d WILLIAM the Fourth, Chapter 41.

Address to His Excellency for statement of sums received from Jesuits' Estates, ordered.

Ordered—That the said Address be presented to His Excellency, by

such members of this House as are of the Honourable the Executive Council of this Province.

Message to be sent to Legislative Council granting leave to Messrs. Armstrong and Watts, to attend Select Committee.

On motion of Mr. *Morin*, seconded by Mr. *Christie*.

Resolved—That a Message be sent to the Legislative Council, to acquaint their Honours that this House do give leave to *David M. Armstrong* and *Robert N. Watts*, Esquires, members of this House, to appear before the Special Committee to which is referred the Bill intituled “*An Act to amend two certain Ordinances therein mentioned, relative to Winter Roads in that part of the Province formerly Lower Canada,*”—to-morrow at the hour of one in the afternoon, if they think fit.

Ordered—That Mr. *Morin* do carry the said Message to the Legislative Council.

Order of day for House in Com. on 1st report of Sel. Com., on prices of transport of products &c., revived, and ordered for Friday.

On motion of Mr. *Merritt*, seconded by Mr. *Thorburn*,

Ordered—That the Order of the day for the House in Committee on the first report of the Select Committee appointed to examine into the prices paid, and the methods adopted, for the transit of products on the different communications within this Province, and to which was referred the Message of His Excellency, the Governor General, relating to the introduction of the products of the Province into the Ports of *Great Britain* free of duty, lost by the adjournment of the House of *Friday* last, be revived, and that this House will, on *Friday* next, resolve itself into the said Committee.

Address to His Excellency for statement of money's paid Attorney General Ogden for last 4 years, ordered.

On motion of Mr. *Aylwin*, seconded by Mr. *Turcotte*.

Resolved—That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House a statement of all monies paid to Mr. Attorney General *Ogden*, for official services rendered within the four last years, and the authority for such payment.

Ordered—That the said Address be presented to His Excellency by such members of this House as are of the Honourable the Executive Council of this Province.

Motion for Address to His Excellency for report of Commissioner on settlement of township of *MacNab*.

Mr. *Cameron* moved, seconded by Mr. *Hincks*,

That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House the Report of the Commissioner, appointed to report upon the state of the Settlers, and improvements in the Township of *MacNab*, in the *Bathurst* District, with any other information which may be in His Excellency's power to give, touching the difficulties and complaints said to exist between *The MacNab* and the Settlers in his Township.

Previous question moved

Sir *Allan MacNab* moved, seconded by Mr. *Aylwin*, the previous question, viz :—

Shall the question be now put ?

The House divided, and the names being called for, they were taken down as followeth :—

YEAS.

<i>Armstrong,</i>	<i>Crane,</i>	<i>Foster,</i>	<i>McDonald, (Pres.)</i>
<i>Baldwin,</i>	<i>Daly, Hon. D.</i>	<i>Harrison, Hon. S.B.</i>	<i>Moore,</i>
<i>Barthe,</i>	<i>Draper, Hon. W.H.</i>	<i>Hincks,</i>	<i>Morin,</i>
<i>Borne,</i>	<i>Dunn, Hon. J. H.</i>	<i>Holmes,</i>	<i>Morris,</i>
<i>Boswell,</i>	<i>Dunscumb,</i>	<i>Hopkins,</i>	<i>Parent,</i>
<i>Cameron,</i>	<i>Duggan,</i>	<i>Killaly, Hon. H.H.</i>	<i>Parke,</i>
<i>Cook,</i>	<i>Durand,</i>	<i>McCulloch,</i>	<i>Powell,</i>

Price, Quesnel, Raymond, Roblin,	Ruel, Small, Smith, (<i>Went.</i>) Steelc,	Taché, Thompson, Thorburn,	Viger, Hon. D.B. Watts, Williams.—42.
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NOES.

Aylwin, Berthelot, Buchanan, Burnet, Child,	Cristie, Delisle, Hale, Jo'nston, MacNab, Sir A.N. Smith, (<i>Fron.</i>)	Moffatt, Hon. G. Neilson, Ozden, Hon. C. R. Robertson,	Sherwood, Turcotte, Woods, Yule.—19.
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So it was carried in the affirmative.

Carried.

The question being then put on the main motion, the House divided thereon.

Yeas, 42. Noes, 19.

And the names being called for, they were taken down as in the last preceding division.

So it was carried in the affirmative, and—

Resolved accordingly.

Original motion carried.

Ordered—That the said Address be presented to His Excellency, by such members of this House as are of the Honourable the Executive Council of this Province.

On motion of Mr. *Small*, seconded by Mr. *Hincks*,

Ordered—That the Committee appointed to try the merits of the Petition of *Robert Melville* and *John McBride*, complaining of the undue election and return of *Edward Clarke Campbell*, Esquire, the Sitting Member for the Town of *Niagara*, have leave to adjourn until *Saturday*, the 21st instant, at 10 o'clock, A. M.

Leave to Committee on Niagara contested election, to adjourn to 21st inst.

On motion of Mr. *Aylwin*, seconded by Mr. *Thorburn*,

Resolved—That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be laid before this House a statement of all sums of money, if any, transmitted to the Home Government by the Deputy Post Master General, during the last four years, as and for postages, and balances of postages by him received and levied upon Her Majesty's subjects in the late Provinces of *Lower* and *Upper Canada*, and in this Province; and also the information as to the authority under which the said sums were received and remitted to *Great Britain*.

Address to His Excellency for statement of sums remitted to England by Deputy Post Master General for last 4 years, ordered.

Ordered—That the said Address be presented to His Excellency by such members of this House as are of the Honourable the Executive Council of this Province.

Mr. *Aylwin* moved, seconded by Mr. *Thorburn*,

That a Committee of seven members be appointed to enquire into the Department of the Deputy Post Master General in this Province.

Motion to appoint Committee on Post Office Department.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:—

YEAS.

Aylwin, Baldwin, Berthelot,	Borne, Boutillier,	Morin, Thorburn,	Turcotte, Viger, Hon. D.B. (9).
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NOES.

<i>Boswell,</i>	<i>Dunscumb,</i>	<i>McCulloch,</i>	<i>Prince,</i>
<i>Child,</i>	<i>Durand,</i>	<i>McDonald, (Pres.)</i>	<i>Raymond,</i>
<i>Christie.</i>	<i>Foster,</i>	<i>Sniffall, Hon. G.</i>	<i>Robertson,</i>
<i>Crane,</i>	<i>Hale,</i>	<i>Morris,</i>	<i>Rollin,</i>
<i>Daly, Hon. D.</i>	<i>Harrison, Hon. S. B.</i>	<i>Ogden, Hon. C. R.</i>	<i>Smith, (Went.)</i>
<i>Day, Hon. C. D.</i>	<i>Holmes,</i>	<i>Parke,</i>	<i>Watts.—27.</i>
<i>Draper, Hon. W. H.</i>	<i>Killaly, Hon. H. H.</i>	<i>Parcell,</i>	

Motion lost.

So it passed in the negative.

House in Committee
on U. C. District
Council Bill

The Order of the day for the House in Committee on the Bill to provide for the better internal Government of that part of this Province heretofore *Upper Canada*, by the establishment of local or municipal authorities therein, and on the instruction to the said Committee, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Cook* took the chair of the Committee,

And the House having continued to sit till after twelve o'clock on *Wednesday* morning.

Mercurii, 18^o die Augusti, 1841.

Mr. Speaker resumed the chair.

Bill reported amended.

And Mr. *Cook* reported that the Committee had gone through the Bill, and made several amendments thereto, which he was directed to report to the House whenever it shall be pleased to receive the same.

Ordered—That the Report be received at the next sitting of the House.

The names of the members present were taken down as followeth :

Mr. Speaker,

No quorum.

Mr. *Baldwin*, Mr. *Boswell*, Mr. *Buchanan*, the Honourable Mr. *Daly*, Mr. Solicitor General *Day*, Mr. Attorney General *Draper*, Mr. *Dunscumb*, Mr. *Durand*, Mr. *Foster*, the Honourable Mr. *Harrison*, Mr. *Hincks*, Mr. *Parke*, Mr. *Powell*, and the Honourable Mr. *Viger*.

At half past 12 o'clock, on *Wednesday* morning, Mr. Speaker adjourned the House, for want of a quorum, till this day.

Mercurii, 18^o die Augusti ;

Anno 5^o Victoriae Reginae, 1841.

Petitions brought up.

The following Petitions were severally brought up, and laid on the Table :—

Rev. T. Phillips
Bishop of Toronto.

By Mr. *Cartwright*—The Petition of the Reverend *Thomas Phillips*, of *Etobicoke*, and the Petition of the Right Reverend the Bishop of *Toronto*.

Rev. J. Anderson and
others.

By Mr. *Hale*—The Petition of the Reverend *Joseph Anderson*, and others, Members of the Congregational Church of *Melbourne*, and its vicinity.

G. Monro, Mayor of
Toronto.

By Sir *Allan MacNab*—The Petition of *George Monro*, Mayor, on behalf of the Corporation of the City of *Toronto*.

By Mr. McCulloch—The Petition of *Alexander Johnston*, and others, Inhabitants of *North Gore*.

A. Johnston and others.

By the Honourable Mr. *Viger*—The Petition of the Right Reverend *Rémezius Gaulin*, Roman Catholic Bishop of *Kingston*, and of the Reverend *A. Mauseau*, and *H. Hudon*, Administrators of the diocese of *Montreal*.

Rev. Rem. Gaulin.

Rev. A. Mauseau, and H. Hudon.

By Mr. *Dunscumb*—The Petition of *Thomas M. Gardner*, and others, of the County of *Beauharnois*.

T. M. Gardner, and others.

By Mr. *Moore*—The Petition of the Reverend *John McMorine*, and others, Members of the Presbyterian Church in *Melbourne*.

Rev. J. McMorine and others.

By Mr. *Aylwin*—The Petition of *Charles Wagner*, and others, Apprentice Pilots for the River *Saint Lawrence*.

C. Wagner, and others.

By Mr. *Burnet*—The Petition of the Reverend *John Cook*, *Robert Synes*, *Andrew Stuart*, and others, of *Quebec*,

Rev. J. Cook, and others.

By Mr. *Merritt*—The Petition of *Macpherson, Crane and Company*, and others, engaged in the Trade of Forwarding.

Macpherson, Crane, & Co., and others.

By Mr. *Neilson*—The Petition of *Pierre Langlois*, and others, Pilots for and below the Harbours of *Quebec*.

P. Langlois, and others.

By Mr. *Price*—The Petition of *Hector McGilvray*, and others, Inhabitants of the County of *York* and City of *Toronto*.

H. McGilvray, and others.

Pursuant to the Order of the day, the following Petitions were severally read:—

Petitions read.

Of *William Lemoine*, and others, inhabitants of the 1st Concession of the Township of *Kingston*, *Midland District*, praying for an aid to construct a Bridge over the River *Cataraqui*.

Of W. Lemoine and others.

Of the Board of Trade of the Town of *Kingston*, praying for an Act to incorporate a Savings Bank.

Of Board of Trade of Kingston.

Of the Reverend *S. C. Fraser*, and others, of the Township of *Inverness*, County of *Megantic*, praying that the Sacred Scriptures may be used in all Schools and Seminaries in the Province.

Of Rev. S. C. Fraser and others.

Of *Mathew Rourke*, of *Kingston*, Merchant, complaining of a Suit in the Queen's Bench, for £36, instituted against him by *Henry Smith*, Esquire, for costs on a contested election, and praying relief.

Of M. Rourke.

A Message from the Legislative Council, by *John Godfrey Spragge*, Esquire, Master in Chancery.

Message from Legislative Council.

MR. SPEAKER,

The Legislative Council have passed the following Bills, without any amendment:—

“An Act to secure to, and confer upon *Jacques Alexandre Tailhades*, an inhabitant of this Province, the civil and political rights of a natural born British subject.”

Bill to naturalize J. A. Tailhades,

and

“An Act for the relief of *Phillippe Aubert De Gaspé*.”

De Gaspé's relief Bill, passed Legislative Council.

And also,

The Legislative Council have passed the Bill intituled “An Act to amend an Act of the Legislature of Lower Canada, relative to the establishment of Mutual Fire Insurance Companies,” with several amendments, to which they desire the concurrence of the Assembly.

Bill to amend Mutual Insurance Act of L. Canada, sent down amended.

And then he withdrew.

On motion of Sir *Allan McNab*, seconded by Mr. *Buchanan*,

Ordered—That the Petition of *George Monro*, Mayor, on behalf of the Corporation of the City of *Toronto*, praying for the appointment of a Committee to enquire into, and report upon, the truth of the statements contained in the Report of the Commissioners, appointed to investigate the cause

Petition of G. Monro, Mayor of Toronto, read.

of the late riots in the said City, be now read, and that the Rule of this House of the 20th of *June* last, be dispensed with, as to the present Petition.

The said Petition was read accordingly.

Petition referred to Committee on Petition of P. Leppard and others.

Ordered—That the said Petition be referred to the Special Committee to which was referred the Petition of *Peter Leppard*, of *East Gwillimbury*, Home District, and other references.

A member added to said Committee.

Ordered—That Sir *Allan McNab* be added to the said Committee.

Committee on Huron Election report absence of certain members.

Mr. *Christie*, Chairman of the Committee appointed to try the merits of the Petition of *William Dunlop*, of *Gairbraid*, Esquire, in the County of *Huron*, complaining of the undue election and return of *James McGill Strachan*, Esquire, as a member to represent the County of *Huron*, reported to the House that the Committee met, pursuant to adjournment, at 10 o'clock, A. M., this day, and that Messieurs *Burnet* and *Holmes*, were absent.

Leave granted to Com. on Petition of Bonner and Petry to report from time to time.

On Motion of Mr. *Neilson*, seconded by Mr. *Christie*,

Ordered—That the Special Committee to which was referred the Petition of *John Bonner*, and *William Petry*, of *Quebec*, have leave to report from time to time by Bill or otherwise.

Committee on Petition of Bonner and Petry make 1st report, with a Bill.

Accordingly Mr. *Neilson*, presented the first Report of the said Committee, which was again read at the Clerk's Table.

Report.

“Your Committee, on examining the Petition, find that the Petitioners complain that a certain lot of land at *Quebec*, which they had purchased from the Executive Government, and paid £222 on account thereof, had not been granted them on the terms agreed upon.

Your Committee are of opinion that a complaint of this nature should be heard and acted upon by an ordinary Court of Justice, but that difficulties exist in bringing such matters before a Judicial Court, when the Executive Government is concerned; they have therefore prepared a Bill, to facilitate a legal remedy to such as have claims on the Provincial Government, which they beg to recommend for the adoption of your Honourable House.”

Bill for relief of Claimants against the Government read first time.

Mr. *Neilson*, then presented to the House a Bill, to facilitate a legal remedy to persons having claims against Her Majesty's Provincial Government; which was received, and read for the first time.

Second reading Monday next.

Ordered—That the said Bill be read a second time or *Monday* next.

Commission appointed to take evidence on contested Election for 2nd Riding of York.

On motion of Mr. *Hincks*, seconded by Mr. *Roblin*,
Resolved—That this House do nominate and appoint, under the hand and seal of the Speaker, three Commissioners, for the purpose of examining the Witnesses of the Parties in the matter of the controverted election for the second Riding of the County of *York*; and that *Lawrence Heyden*, of the Township of *Whitby*, *John Ridout*, Esquire, of the City of *Toronto*, and *John Barnhart*, Esquire, of *Streetsville*, be such Commissioners; who shall be authorized and empowered to hold their sittings at *Streetsville*, on *Saturday* next the 21st. instant, with *John Ridout*, Esquire, as chairman of the said Commission.

Message sent to Legislative Council praying leave for Hon J. Macaulay to attend a Committee.

On motion of Mr. *Hincks*, seconded by Mr. *Merritt*,

Resolved—That a Message be sent to the Legislative Council praying their Honors will permit the Honourable *John Macaulay*, to attend the Select Committee to which is referred so much of the Message of His Excellency the Governor General as relates to the estimates for the year ending the 31st of *December* 1841, together with the documents connected therewith,—to-morrow, the 19th instant, at 11 o'clock, A. M., to be examined on the subject of the said reference.

Ordered—That Mr. *Hincks*, do carry the said Message to the Legislative Council, and desire their concurrence.

On motion of Mr. *Roblin*, seconded by Mr. *Hincks*,

Ordered—That the Committee appointed to try the merits of the Petitions of divers electors of the Second Riding of the County of *York*, and of *Connell James Baldwin*, Esquire, complaining of the undue election and return of *George Duggan*, Esquire, the sitting Member for the said Second Riding of the County of *York*, have leave to adjourn until *Wednesday*, the 1st of *September* next.

Leave granted to Committee on Election for 2nd Riding of York to adjourn to 1st Sept.

The Honourable *S. B. Harrison*, presented, pursuant to an address of the House of Assembly of the 19th. of *July* last, a return on the subject of the fines and exempt monies received by commanding Officers of Militia.

Return of Militia Fines laid before the House

For said return see Appendix (A. A.)

Ordered—That 200 copies of the said return be printed, for the use of the Members of this House.

200 copies of Return to be printed.

On motion of Mr. *Parke*, seconded by the Honourable Mr. *Harrison*,

Resolved—That this House will, on to-morrow, resolve itself into a Committee of the whole House, to take into consideration that part of the Message of His Excellency the Governor General, transmitted to this House on the 14th of *July* last, which relates to the despatch of Lord *John Russell*, on the subject of Emigration, and the raising of a Fund to defray the expense of providing Medical attendance for sick Emigrants, and of enabling indigent persons of that description to reach their place of destination, and providing for their support until they can procure employment.

House to go in Committee of whole, to-morrow, on Despatch on Emigration.

Mr. *Hincks*, from the select Committee on Currency and Banking, with power to report from time to time, by Bill or otherwise, presented to the House the third report of the said Committee, which was again read at the Clerk's table, and is as followeth :—

Committee on Currency & Banking present 3rd. report, with Bill to amend Usury Laws.

“ Your Committee having taken up, as part of the subject referred to them, the consideration of the Laws for the prevention of usury, they have come to the conclusion, that these Laws are in many cases productive of results contrary to the object for which they were enacted, by either preventing money from being obtained by those to whom it is most important to obtain it, or obliging them to have recourse to persons who demand an exorbitant rate of interest for the risk they run in violating the Law. The want of Capital in this Province, and the many advantageous modes in which money can be invested in it, so as to afford a profit far exceeding the legal rate of interest,—the fact that the rate of interest allowed by Law in the neighbouring states, is higher than that allowed to be taken in this Province, and the circumstance of the Legislature itself having, in a portion of the Province, virtually repealed the usury Laws in certain cases, by allowing money to be borrowed for Public improvements at *any* rate of interest, having had their weight with the Committee :—nor have they been unmindful of the alleged immoral tendency of the said Laws, in holding out temptation to one of the parties to break the engagement he contracts. The majority of the Committee have not, however, been willing to go further than to repeal the said Laws in as far as relates to Mercantile transactions of a certain description ; for carrying into effect what they believe to be an amendment of the Law to this extent, they have prepared a Bill, which they beg leave to submit to the consideration of Your Honourable House.”

Report.

Bill to amend the Usury Laws brought in.

Mr. *Hincks* then presented to the House a Bill, to exempt certain mercantile transactions from the operation of the Laws for the prevention of usury, which was received, and read for the first time.

Ordered—That the said Bill be read a second time on *Monday* next.

House in Committee on Message from Legislative Council with Address to His Excellency on Petitions on Timber Duties.

On motion of Mr. *Neilson*, seconded by Mr. *Dunscomb*.

Resolved—That the Message from the Legislative Council of the 12th instant, accompanied by an Address to His Excellency, the Governor General, praying that His Excellency will be pleased to transmit the Petitions of both Houses to Her Majesty, and the two Houses of the Imperial Parliament, on the subject of the Timber duties, be now taken into consideration.

The House proceeded accordingly to take the said Message and Address into consideration,

And the same were severally read.

Resolution concurring in the Address

Resolved—That this House doth concur with the Legislative Council in the Address to His Excellency the Governor General, praying that His Excellency will be pleased to transmit the joint Petitions of both Houses to Her Majesty, and the two Houses of the Imperial Parliament, on the subject of the Timber duties.

Resolved—That Mr. Speaker do sign the said Address, on behalf of this House, and that it be returned to the Legislative Council.

Resolved—That the preceding Resolution be communicated, by Message, to the Legislative Council.

Ordered—That Mr. *Neilson* do carry the said message to the Legislative Council.

Bill to compel Candidates at Elections to declare their qualifications brought in

Ordered—That Mr. *Morris*, have leave to bring in a Bill to compel all candidates, at any future elections for Members of the Legislative Assembly, to make and subscribe detailed declarations of the property by them possessed, and under which they qualify.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time.

Ordered—That the said Bill be read a second time, on *Monday* next.

House to go into Committee of whole on Wednesday, on Ordinance respecting Quebec roads.

On motion of Mr. *Black* seconded by Mr. *Thorburn*.

Resolved—That this House will, on *Wednesday* next, resolve itself into a Committee of the whole House, on the Ordinance of the Legislature of *Lower Canada*, passed in the 4th year of Her Majesty's Reign intituled "*An Ordinance to provide for the improvement of certain Roads in the neighbourhood of, and leading to, the City of Quebec, and to raise a fund for that purpose,*" with a view to ascertain how far it is expedient to extend the provisions of the said Ordinance to a certain Road on the *North* side of the River *St. Charles*.

Petition of J. Black & others referred to same Committee.

Ordered—That the Petition of *James Black*, and others, of *Quebec* presented to the House on the 12th instant, be referred to the said Committee.

Amendments of Leg. Coun. to Religious Societies' Lands Bill taken into consideration.

On motion of Mr. *Williams*, seconded by Mr. *Small*.

Ordered—That the amendment made by the Legislative Council, to the Bill intituled "*An Act to enable Religious Societies of all denominations of Christians to hold the lands requisite for certain purposes therein mentioned,*" be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.—And the said amendments were read as followeth :—

Amendments.

IN THE TITLE :

Line 1.—After "to" expunge the remainder of the Title, and insert "provide for the relief of certain Religious Societies."

IN THE BILL :

Amendments.

Line 1.—After “Whereas,” expunge the remainder of the Bill, and insert “by an Act of the Parliament of that part of the Province of *Canada*, heretofore called *Upper Canada*, passed in the ninth year of the Reign of His late Majesty King GEORGE the Fourth, intituled, “*An Act for the relief of the Religious Societies therein mentioned,*” after reciting that Religious Societies of various denominations of *Christians* found difficulty in securing the Titles of Land requisite for the site of a Church, Meeting House, or Chapel, or burying ground, for want of a corporate capacity to take and hold the same in perpetual succession; and that it was expedient to provide some safe and adequate relief in such cases,—It was enacted, that whenever any Religious Congregation or Society of Presbyterians, Lutherans, Calvinists, Methodists, Congregationalists, Independents, Anabaptists, Quakers, Menonists, Tunkers, or Moravians, should have occasion to take a conveyance of land for any of the uses aforesaid, it should and might be lawful for them to appoint Trustees to whom, and their successors, to be appointed in such manner as should be specified in the Deed, the land requisite for all or any of the purposes aforesaid, might be conveyed, and such Trustees and their successors in perpetual succession, by the name expressed in such Deed, should be capable of taking, holding, and possessing, such land, and of commencing and maintaining any action or actions in Law or Equity, for the protection thereof, and of their right thereto,—And it was further enacted that there should not be held in trust, for the purposes aforesaid, more than five acres of land for any one congregation: *And Whereas* it is expedient to extend the relief afforded by the said recited Act, as well to the Societies named therein, as to all other Societies of professing *Christians* of every denomination; Be it therefore enacted by the Queen’s Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of *Canada*, constituted and assembled by virtue of, and under the authority of, an Act passed in the Parliament of the United Kingdom of *Great Britain and Ireland*, intituled “*An Act to Re-unite the Provinces of Upper and Lower Canada and for the Government of Canada*”—and it is hereby enacted, by the authority of the same, that from and after the passing of this Act it shall and may be lawful for the Chancellor, Vice Chancellor, or other, the person administering the duties of the Judge of the High Court of Chancery in this Province, upon the Petition of the Minister, Wardens, Deacons, or other, the parties holding office in any congregation of professing *Christians* of any denomination, setting forth the peculiar tenets of the society to which they respectively belong, together with the number of the Congregation composing the said Society, and the Township or place in which they intend respectively to congregate, and upon proof of the several facts contained in such Petition, to grant unto such Minister, Wardens, Deacons, or others, the parties holding office in any such Congregation, not being fewer than three in number, a license or permission, under the seal of the said Court, to hold to them and their successors in perpetual succession, for ever, in Mortmain, by the name expressed in such license or permission, any quantity of Land requisite for the site of a Church, Meeting House or Chapel, Burying Ground, residence for the Minister, Priest or religious Teacher, or other person administering the religious duties of such Congregation, and School Houses, and the appurtenances thereunto which may be necessary for the said several purposes, to be specified in such Petition, provided that there shall not be held in trust for the purposes aforesaid, under any such license, or permission, as aforesaid, more than ten acres of land for any one Congregation.

2. And be it enacted, that under or by virtue of such license or per-

Amendments.

mission, it shall and may be lawful for such Trustees to accept and take a conveyance to them and their successors, in Mortmain, of the lands to be mentioned and set forth in such Petition as aforesaid, and they and their successors, in perpetual succession, by the name expressed in such license or permission, shall, by virtue of such license or permission, be capable of holding and possessing such land in Mortmain, for ever, and of commencing and maintaining any action or actions, at Law or in Equity, for the protection thereof, and of their right thereto: Provided always, and be it enacted, that it shall not be lawful for the Chancellor, Vice Chancellor, or other, the person administering the duties of the Judge of the High Court of Chancery in this Province, to grant any such license or permission for the benefit of any such Society as aforesaid, whose numbers, at the time of application to the said Court, shall not amount at least to fifty heads of families.

3. And be it enacted, that the Minister, Wardens, Deacons, or other parties holding office in any such congregation, to whom any such license or permission shall be granted, as aforesaid, shall, within twelve months after execution of any Deed whereby such land shall be conveyed to them under or by virtue of such license or permission, shall cause the same to be registered in the office of the Registrar of the County in which the land shall happen to lie.

4. And be it enacted, that this Act shall be in force and effect, and extend only to that part of the Province of *Canada* formerly known as *Upper Canada*.

Engrossed amendments.

Attest,

JAMES FITZGIBBON,
Clerk Leg. Council.

Amendments referred to Select Committee.

On motion of Mr. *Williams*, seconded by Mr. *Small*,
Resolved—That the said amendments be referred to a Select Committee, composed of Mr. *Small*, Mr. *Hincks*, Mr. *Boswell*, and Mr. *Price*, to report thereon with all convenient speed; with power to send for persons, papers and records.

Message from Leg. Council.

A Message from the Legislative Council by *John Godfrey Spragge*, Esquire, Master in Chancery.

LEGISLATIVE COUNCIL, WEDNESDAY, 18TH AUGUST, 1841.

Leave granted to Hon. J. Macaulay to attend select Committee.

Ordered—That the Master in Chancery do go down to the Legislative Assembly, and acquaint that House that the Legislative Council do give leave to the Honourable *John Macaulay* to attend the Select Committee, to whom is referred so much of the Message of His Excellency, the Governor General, as relates to the Estimates for the year ending 31st December, 1841, together with the documents connected therewith, tomorrow, the 19th instant, at 11 o'clock in the forenoon, for the purpose of being examined on the subject of the said reference, if he thinks fit.

And then he withdrew.

Amendments to Bill to enable all denominations of Christians to solemnize marriage, to be considered on Wednesday.

On motion of Mr. *Small*, seconded by Mr. *Williams*,
Ordered—That the amendments made by the Legislative Council to the Bill intituled "*An Act to enable the Ministers of all denominations of Christians to solemnize Marriage, under certain restrictions*," be taken into consideration on *Wednesday* next.

Amendments to Bill to amend Mutual Insurance Act of Lower Canada taken into consideration.

On motion of the Honourable Mr. *Viger*, seconded by Mr. *Parent*,
Ordered—That the amendments made by the Legislative Council to the Bill intituled "*An Act to amend an Act of the Legislature of Lower*"

"Canada, relative to the establishment of Mutual Fire Insurance Companies," be now taken into consideration.

The House proceeded accordingly, to take the said amendments into consideration,

And the said amendments were read, and are as followeth:—

Press. 1, Line 24.—After "*Rouville*," insert "*Beauharnois*."

Press. 1, Line 24.—After "them" insert "and it shall be lawful for the Mutual Fire Insurance Companies for the Counties of *Sherbrooke*, and *Stanstead*, if they shall deem it expedient, to admit, as a member of the said Company, the owner of any property situate within either of the Counties of *Shefford* or *Drummond*."

Press. 1, Line 27.—After "*Montreal*," insert "or within either of the said counties of *Sherbrooke* or *Stanstead*."

Press. 1, Line 28.—After "of" insert "either of," for "Company" insert "Companies."

Press. 1, Line 30—For "the said Company" insert "either of the said Companies."

Engrossed amendments.

Attest,

JAMES FITZGIBBON,

Clerk Leg. Council.

And the said amendments being again read, they were agreed to by the House.

Ordered—That the Honourable Mr. *Viger* do carry back the said Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their amendments.

On motion of Mr. *Henry Smith*, seconded by Mr. *Black*,

Ordered—That the subject of the remuneration to the Speaker of the late House of Assembly of *Upper Canada*, be referred to the Special Committee on the contingent accounts and expenses of the present Session, with Instructions to inquire into and report to this House on that subject.

On motion of Mr. *Thorburn*, seconded by Mr. *Johnston*.

Resolved—That the House do now resolve itself into a Committee of the whole House, to take into consideration the propriety and expediency of paying or remunerating individuals; that may be called upon under and by authority of the House to give evidence.

The House accordingly resolved itself into the said Committee.

Mr. *Johnston* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Johnston* reported that the Committee had come to a Resolution, which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:—

Resolved—That it is expedient that no payment or remuneration be made or allowed to any person, who may give evidence under or by authority of the House of Assembly, unless the same be reported upon from the Committee on the contingent accounts and expenses of the present Session, and such reports be agreed to by the House.

Mr. *Cook*, from the Committee of the whole House, on the Bill to provide for the better internal Government of that part of the Province heretofore *Upper Canada*, by the establishment of local or Municipal authorities therein, and on the instruction given to the said Committee, reported according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's Table.

Amendments.

Amendments agreed to.

Subject of remunerating the Speaker referred to contingent Committee.

House in Committee on remunerating witnesses.

Resolution reported

Resolution for payment of witnesses on recommendation of the contingent Committee.

Amendments of Committee of whole to U. C. District Council, Bill reported.

Motion that question of concurrence be put thereon

The Honourable Mr. *Harrison* moved, seconded by Mr. Solicitor General *Day*,

That the question of concurrence be now separately put upon the said amendments.

Mr. *Aylcin*, moved, seconded by Mr. *Baldwin*.

Motion to postpone the same till to-morrow

That the consideration of the said motion be postponed until *to-morrow*, and that it be then the first order of the day.

The House divided on the question, and the names being called for, they were taken down, as followeth :—

YEAS.

<i>Armstrong,</i>	<i>Burnet,</i>	<i>McDonald, (Glen.)</i>	<i>Price,</i>
<i>Aylcin,</i>	<i>Cartwright,</i>	<i>McLean,</i>	<i>Sherwood,</i>
<i>Baldwin,</i>	<i>Christie,</i>	<i>Merritt,</i>	<i>Taché,</i>
<i>Barthe,</i>	<i>Cook,</i>	<i>Morin,</i>	<i>Turcotte,</i>
<i>Berthelot,</i>	<i>Durand,</i>	<i>Neilson,</i>	<i>Viger, Hon. D.B.</i>
<i>Borne,</i>	<i>Johnston,</i>	<i>Parent,</i>	<i>Woods.—25.</i>
<i>Boutillier,</i>			

NOES.

<i>Black,</i>	<i>Dunscomb,</i>	<i>McCulloch,</i>	<i>Ruel,</i>
<i>Buchanan,</i>	<i>Foster,</i>	<i>McDonald, (Pres.)</i>	<i>Simpson,</i>
<i>Cameron,</i>	<i>Gilchrist,</i>	<i>Moore,</i>	<i>Small,</i>
<i>Daly, Hon. D.</i>	<i>Hale,</i>	<i>Morris,</i>	<i>Smith, (Went.)</i>
<i>Delisle,</i>	<i>Harrison, Hon. S.B.</i>	<i>Ogden, Hon. C.R.</i>	<i>Steele,</i>
<i>Derbshire,</i>	<i>Hincks,</i>	<i>Parke,</i>	<i>Taschcreau,</i>
<i>De Salaberry,</i>	<i>Holmes,</i>	<i>Pocell,</i>	<i>Thompson,</i>
<i>Draper, Hon. W.H.</i>	<i>Hopkins,</i>	<i>Quesnel,</i>	<i>Watts.—35.</i>
<i>Dunn, Hon. J. H.</i>	<i>Killaly, Hon. H.H.</i>	<i>Roblin,</i>	

Question of postponement lost.

So it passed in the Negative.

Amendment moved, to re-commit the Bill.

Mr. *Baldwin*, then moved, in amendment to the main motion, seconded by Mr. *Price*,

That all the words after “ that ” be struck out and the following substituted “ the said Bill be recommitted, with instruction to the Committee “ to limit the jurisdiction of the local authorities thereby proposed to be “ established, to Counties and Ridings.”

The House divided on the motion of amendment, and the names being called, for they were taken down as followeth :—

YEAS.

<i>Armstrong,</i>	<i>Boutillier,</i>	<i>McLean,</i>	<i>Ruel,</i>
<i>Aylcin,</i>	<i>Cartwright,</i>	<i>Merritt,</i>	<i>Taché,</i>
<i>Baldwin,</i>	<i>Christie,</i>	<i>Morin,</i>	<i>Turcotte,</i>
<i>Barthe,</i>	<i>Cook,</i>	<i>Neilson,</i>	<i>Viger, Hon. D.B.</i>
<i>Berthelot,</i>	<i>Johnston,</i>	<i>Parent,</i>	<i>Williams.—23.</i>
<i>Borne,</i>	<i>McDonald, (Glen.)</i>	<i>Price,</i>	

NOES.

<i>Buchanan,</i>	<i>Dunscomb,</i>	<i>McDonald, (Pres.)</i>	<i>Simpson,</i>
<i>Cameron,</i>	<i>Foster,</i>	<i>Moore,</i>	<i>Small,</i>
<i>Child,</i>	<i>Gilchrist,</i>	<i>Morris,</i>	<i>Smith, (Went.)</i>
<i>Crane,</i>	<i>Hale,</i>	<i>Ogden, Hon. C.R.</i>	<i>Sherwood,</i>
<i>Daly, Hon. D.</i>	<i>Harrison, Hon. S.B.</i>	<i>Parke,</i>	<i>Steele,</i>
<i>Delisle,</i>	<i>Hincks,</i>	<i>Pocell,</i>	<i>Taschcreau,</i>
<i>Derbshire,</i>	<i>Holmes,</i>	<i>Quesnel,</i>	<i>Thorburn,</i>
<i>De Salaberry,</i>	<i>Hopkins,</i>	<i>Robertson,</i>	<i>Watts,</i>
<i>Draper, Hon. W.H.</i>	<i>Killaly, Hon. H.H.</i>	<i>Roblin,</i>	<i>Woods.—38.</i>
<i>Dunn, Hon. J. H.</i>	<i>McCulloch,</i>		

Amendment lost.

So it passed in the Negative.

The question being then put upon the main motion, the House divided thereon, and the names being called for, they were taken down, as followeth :—

Main motion put.

YEAS.

<i>Buchanan,</i>	<i>Dunn, Hon. J.H.</i>	<i>Killaly, Hon. H.H.</i>	<i>Robertson,</i>
<i>Cameron,</i>	<i>Dunscomb,</i>	<i>McCulloch,</i>	<i>Simpson,</i>
<i>Child,</i>	<i>Foster,</i>	<i>McDonald, (Pres.)</i>	<i>Small,</i>
<i>Crane,</i>	<i>Gilchrist,</i>	<i>Moore,</i>	<i>Smith, (Went.)</i>
<i>Daly, Hon. D.</i>	<i>Hale,</i>	<i>Morris,</i>	<i>Steele,</i>
<i>Delisle,</i>	<i>Harrison, Hon. S.B.</i>	<i>Ogden, Hon. C.R.</i>	<i>Taschereau,</i>
<i>Derbshire,</i>	<i>Hincks,</i>	<i>Parke,</i>	<i>Thorburn,</i>
<i>De Salaberry,</i>	<i>Holmes,</i>	<i>Powell,</i>	<i>Watts,</i>
<i>Draper, Hon. W.W.</i>	<i>Hopkins,</i>	<i>Quesnel,</i>	<i>Williams.—36.</i>

NOES.

<i>Armstrong,</i>	<i>Boutillier,</i>	<i>Morin,</i>	<i>Sherwood,</i>
<i>Aylwin,</i>	<i>Christie,</i>	<i>Neilson,</i>	<i>Taché,</i>
<i>Baldwin,</i>	<i>Cook,</i>	<i>Parent,</i>	<i>Turcotte,</i>
<i>Barthe,</i>	<i>Johnston,</i>	<i>Price,</i>	<i>Viger, Hon. D.B.</i>
<i>Berthelot,</i>	<i>McDonald, (Glen.)</i>	<i>Roblin,</i>	<i>Woods.—23.</i>
<i>Borne,</i>	<i>McLean,</i>	<i>Ruel,</i>	

So it was carried in the Affirmative.

And the first of the said amendments being again read, and the question being put thereon, the House divided, and the names being called for, they were taken down as followeth :—

Main motion carried.

1st. Amendment put.

YEAS.

<i>Armstrong,</i>	<i>Draper, Hon. W.H.</i>	<i>McDonald, (Pres.)</i>	<i>Small,</i>
<i>Aylwin,</i>	<i>Dunn, Hon. J. H.</i>	<i>McDonald, (Glen.)</i>	<i>Smith, (Went.)</i>
<i>Baldwin,</i>	<i>Dunscomb.</i>	<i>McLean,</i>	<i>Steele,</i>
<i>Berthelot,</i>	<i>Durand,</i>	<i>Moore,</i>	<i>Taché,</i>
<i>Borne,</i>	<i>Foster,</i>	<i>Morin,</i>	<i>Taschereau,</i>
<i>Boutillier,</i>	<i>Gilchrist,</i>	<i>Ogden, Hon. C. R.</i>	<i>Thompson,</i>
<i>Buchanan,</i>	<i>Hale,</i>	<i>Parent,</i>	<i>Thorburn.</i>
<i>Child,</i>	<i>Harrison, Hon. S.B.</i>	<i>Parke,</i>	<i>Turcotte,</i>
<i>Christie,</i>	<i>Holmes,</i>	<i>Powell,</i>	<i>Viger, Hon. D.B.</i>
<i>Crane,</i>	<i>Hopkins,</i>	<i>Price,</i>	<i>Watts,</i>
<i>Delisle,</i>	<i>Johnston,</i>	<i>Quesnel,</i>	<i>Williams,</i>
<i>Derbshire,</i>	<i>Killaly, Hon. H.H.</i>	<i>Robertson,</i>	<i>Woods.—51.</i>
<i>De Salaberry,</i>	<i>McCulloch,</i>	<i>Simpson,</i>	

NOES.

<i>Barthe,</i>	<i>Neilson,</i>	<i>Roblin,</i>	<i>Sherwood.—5.</i>
<i>Cook,</i>			

So it was carried in the Affirmative.

The second and third of the said amendment being again severally read, and the question being separately put thereon, they were agreed to by the House.

1st. Amendment carried.

2d. and 3rd. amendments carried.

The fourth of the said amendments being again read,

4th. Amendment read.

Mr. *Baldwin*, moved in amendment thereto, seconded by Mr. *Price*,

That all the words after "that" in the first line of the 26th clause, be struck out, and the following substituted "there shall be a Clerk of the Council for every such District, who shall be appointed from time to time by every such Council, and shall be removeable at any time by such Council."

Amendment moved thereto.

The House divided on the proposed amendment, and the names being called for, they were taken down, as followeth :—

YEAS.

<i>Armstrong,</i>	<i>Christie.</i>	<i>Moffatt, Hon. G.</i>	<i>Sherwood,</i>
<i>Baldwin,</i>	<i>Cook,</i>	<i>Morin,</i>	<i>Taché,</i>
<i>Barthe,</i>	<i>Durand,</i>	<i>Neilson,</i>	<i>Turcotte,</i>
<i>Berthelot,</i>	<i>McDonald, (Glen.)</i>	<i>Parent.</i>	<i>Viger, Hon. D.B.</i>
<i>Borne,</i>	<i>McLean.</i>	<i>Price,</i>	<i>Woods.—21.</i>
<i>Boutillier.</i>			

NOES.

<i>Buchanan.</i>	<i>Dunscomb,</i>	<i>McCulloch,</i>	<i>Small,</i>
<i>Cameron.</i>	<i>Foster,</i>	<i>Moore.</i>	<i>Smith, (Went.)</i>
<i>Child,</i>	<i>Hale.</i>	<i>Ogden, Hon. C. R.</i>	<i>Steele,</i>
<i>Crane.</i>	<i>Harrison, Hon. S.B.</i>	<i>Parke,</i>	<i>Taschereau,</i>
<i>Daly, Hon. D.</i>	<i>Hincks,</i>	<i>Quesnel,</i>	<i>Thompson,</i>
<i>Delisle,</i>	<i>Holmes,</i>	<i>Robertson.</i>	<i>Thorburn,</i>
<i>Derbshire,</i>	<i>Hopkins,</i>	<i>Roblin,</i>	<i>Watts.</i>
<i>De Salaberry,</i>	<i>Killaly, Hon. H.H.</i>	<i>Simpson.</i>	<i>Williams.—33.</i>
<i>Draper, Hon. W.H.</i>			

Lost.

4th. Amendment carried.

Ques. of concurrence put on remaining amendments.

So it passed in the Negative.

The question being then put on the said fourth amendment it was agreed to by the House.

The residue of the said amendments being again severally read, and the question being separately put thereon,

The House divided upon each, and the names being called for, they were taken down, as followeth :—

YEAS.

<i>Buchanan,</i>	<i>Dunscomb,</i>	<i>McCulloch,</i>	<i>Small,</i>
<i>Cameron,</i>	<i>Foster,</i>	<i>Moore,</i>	<i>Smith, (Went.)</i>
<i>Child,</i>	<i>Hale,</i>	<i>Ogden, Hon. C. R.</i>	<i>Steele,</i>
<i>Crane,</i>	<i>Harrison, Hon. S.B.</i>	<i>Parke,</i>	<i>Taschereau,</i>
<i>Daly, Hon. D.</i>	<i>Hincks,</i>	<i>Quesnel,</i>	<i>Thompson,</i>
<i>Delisle,</i>	<i>Holmes,</i>	<i>Robertson,</i>	<i>Thorburn,</i>
<i>Derbshire,</i>	<i>Hopkins,</i>	<i>Roblin,</i>	<i>Watts,</i>
<i>De Salaberry,</i>	<i>Killaly, Hon. H.H.</i>	<i>Simpson,</i>	<i>Williams.—33.</i>
<i>Draper, Hon. W.H.</i>			

NOES.

<i>Armstrong,</i>	<i>Christie.</i>	<i>Moffatt, Hon. G.</i>	<i>Sherwood,</i>
<i>Baldwin,</i>	<i>Cook,</i>	<i>Morin,</i>	<i>Taché,</i>
<i>Barthe,</i>	<i>Durand,</i>	<i>Neilson,</i>	<i>Turcotte,</i>
<i>Berthelot,</i>	<i>McDonald, (Glen.)</i>	<i>Parent,</i>	<i>Viger, Hon. D.B.</i>
<i>Borne,</i>	<i>McLean.</i>	<i>Price.</i>	<i>Woods.—21.</i>
<i>Boutillier,</i>			

Remaining amendments concurred in.

So they were carried in the Affirmative, and—

Resolved—That this House doth concur with the Committee in the said amendments.

Motion that the Bill be engrossed

The Honourable Mr. *Harrison* moved, seconded by Mr. Attorney General *Draper*,

That the said Bill, as amended, be engrossed, and read for the third time to-morrow.

Mr. *Baldwin* moved in amendment, seconded by Mr. *Price*,

That all the words in the said motion after "that" be struck out, and the following substituted: "the fourth clause of the said Bill be amended, as follows: between the word 'that,' and the word 'it,' in the beginning of the said clause, insert the following words: 'until the first Monday in January, in the year of our Lord, 1845'."

The House divided on the motion of amendment, and the names being called for, they were taken down, as followeth:—

YEAS.

<i>Armstrong,</i>	<i>Christie,</i>	<i>McLean,</i>	<i>Parent,</i>
<i>Baldwin,</i>	<i>Cook,</i>	<i>Merritt,</i>	<i>Price,</i>
<i>Barthe,</i>	<i>Durand,</i>	<i>Moffatt, Hon. G.</i>	<i>Roblin,</i>
<i>Berthelot,</i>	<i>Johnston,</i>	<i>Morin,</i>	<i>Thorburn,</i>
<i>Borne,</i>	<i>McDonald, (Glen.)</i>	<i>Neilson.</i>	<i>Viger, Hon. D.B</i>
<i>Boutillier,</i>			(21.)

NOES.

<i>Buchanan,</i>	<i>Dunn, Hon. J. H.</i>	<i>Hopkins,</i>	<i>Simpson,</i>
<i>Cameron,</i>	<i>Dunscomb,</i>	<i>Kilaly, Hon. H.H.</i>	<i>Small,</i>
<i>Child,</i>	<i>Foster,</i>	<i>McCulloch,</i>	<i>Smith, (Went.)</i>
<i>Crane,</i>	<i>Gilchrist.</i>	<i>McDonald, (Pres.)</i>	<i>Steele,</i>
<i>Daly, Hon. D.</i>	<i>Hale,</i>	<i>Moore,</i>	<i>Taschercan,</i>
<i>Delisle,</i>	<i>Harrison, Hon. S.B.</i>	<i>Parke,</i>	<i>Thompson,</i>
<i>Derbishire,</i>	<i>Hincks,</i>	<i>Powell,</i>	<i>Watts,</i>
<i>De Salaberry,</i>	<i>Holmes,</i>	<i>Robertson,</i>	<i>Woods.—33.</i>
<i>Draper, Hon. W.H.</i>			

So it passed in the negative.

Amendment lost.

Mr. *Baldwin* then moved, in amendment to the main motion, seconded by Mr. *Price*,

That all the words after "that," in the said motion, be struck out, and the following substituted: "the eighth clause of the said Bill be amended, by striking out the words 'Three hundred inhabitants and householders in such assessment list, as aforesaid,' and inserting, in lieu thereof, the words 'three thousand souls'."

Another amendment moved.

The House divided on the motion of amendment.

Yeas, 21.

Noes, 33.

And the names being called for, they were taken down as in the last preceding division.

So it passed in the Negative.

Amendment lost.

Mr. *Baldwin* then moved, in amendment to the main motion, seconded by *Price*,

Another amendment moved.

That all the words after "that," in the said motion, be struck out, and the following substituted: "the following clause be added to the said Bill, and do follow the 22d clause:—

"And be it enacted, that the meetings of the Councils of each District established in that part of this Province heretofore constituting the Province of *Lower Canada*, under and by virtue of a certain Ordinance of the Special Council of that Province, passed in the Fourth year of Her Majesty's Reign, intituled '*An Ordinance for the better internal Government of this Province, by the establishment of Local or Municipal Authorities therein*,' shall be open to the public, in like manner as is herein provided in respect of the Councils to be established, under the authority of this Act, in that part of this Province, heretofore constituting the Province of *Upper Canada*; and all such meetings may be held at the place now

appointed for holding such meetings, or at such other place as such Councils, respectively, shall, at their Session to be held in the month of *December* next, nominate and appoint, within their respective Districts.”

The House divided on the motion of amendment.

Yeas, 21.

Noes, 33.

And the names being called for, they were taken down as in the last preceding division.

Amendment lost.

So it passed in the Negative.

Another amendment moved.

Mr. *Baldwin* then moved, in amendment to the main motion, seconded by Mr. *Price*,

That all the words after “that,” in the said motion, be struck out, and the following substituted: “the 32d clause of the said Bill be amended, by inserting the words ‘by each of such Councils’ between the word ‘appointed’ and the word ‘at,’ in the beginning of the said clause, and expunging the words ‘one of whom shall be appointed by the Warden of the District, and the other elected by the Council.’”

The House divided on the motion of amendment, and the names being called for, they were taken down as followeth:—

YEAS.

<i>Armstrong,</i>	<i>Boutillier,</i>	<i>Durand,</i>	<i>Parent,</i>
<i>Baldwin,</i>	<i>Cartwright,</i>	<i>Johnston,</i>	<i>Price,</i>
<i>Barthe,</i>	<i>Christie,</i>	<i>Morin,</i>	<i>Turcotte,</i>
<i>Berthelot,</i>	<i>Cook.</i>	<i>Neilson.</i>	<i>Viger, Hon. D.B.</i>
<i>Borne,</i>			(17.)

NOES.

<i>Buchanan,</i>	<i>Dunn, J. H.</i>	<i>Hopkins,</i>	<i>Simpson,</i>
<i>Cameron,</i>	<i>Dunscumb,</i>	<i>Killaly, Hon. H. H.</i>	<i>Small,</i>
<i>Child,</i>	<i>Foster,</i>	<i>McCulloch,</i>	<i>Smith, (Went.)</i>
<i>Crane,</i>	<i>Gilchrist,</i>	<i>McDonald (Prs.)</i>	<i>Steele,</i>
<i>Daly, Hon. D.,</i>	<i>Hale,</i>	<i>Moore,</i>	<i>Taschereau,</i>
<i>Delisle,</i>	<i>Harrison, Hon. S.B.</i>	<i>Parke,</i>	<i>Thompson,</i>
<i>Derbshire,</i>	<i>Hincks,</i>	<i>Powel,</i>	<i>Thorburn,</i>
<i>De Salaberry,</i>	<i>Holmes,</i>	<i>Robertson,</i>	<i>Watts.—33.</i>
<i>Draper, Hon. N.H.</i>			

Amendment lost.

So it passed in the Negative.

Another amendment moved.

Mr. *Baldwin* then moved, in amendment to the main motion, seconded by Mr. *Price*,

That all the words after “that,” in the said motion be struck out, and the following substituted: “the 39th clause of the said Bill be amended by striking out the words ‘but it shall be lawful for any District Council, by any such By-Law as aforesaid, to direct that the wild lands within the District, shall be rated and assessed, for such parts of the sum to be raised under such By-Law, as to the Council shall seem expedient,’ and inserting, in lieu thereof, the words ‘and upon such wild lands equally, in proportion to the actual value of such lands, such value to be ascertained and adjudged (subject to appeal, by the party interested, to such District Council) by the assessors of the several Townships, who, before they enter upon the discharge of such duty, shall be sworn well and truly to ascertain and adjudge the same impartially; which oath any Justice of the Peace of such District, is hereby authorized to administer.’”

The House divided on the motion of amendment, and the names being called for, they were taken down as followeth :—

YEAS.

<i>Armstrong,</i>	<i>Cartwright,</i>	<i>McLean,</i>	<i>Sherwood,</i>
<i>Baldwin,</i>	<i>Christie,</i>	<i>Morin,</i>	<i>Taché,</i>
<i>Barthe,</i>	<i>Cook,</i>	<i>Neilson,</i>	<i>Turcotte,</i>
<i>Berthelot,</i>	<i>Durand,</i>	<i>Parent,</i>	<i>Viger, Hon.D.B.</i>
<i>Borne,</i>	<i>Hincks,</i>	<i>Price,</i>	<i>Williams.—22.</i>
<i>Boutillier,</i>	<i>Johnston,</i>		

NOES.

<i>Buchanan,</i>	<i>Draper, Hon. W.H.</i>	<i>Killaly, Hon.H.H.</i>	<i>Small,</i>
<i>Cameron,</i>	<i>Dunscomb,</i>	<i>McCulloch,</i>	<i>Smith, (Went.)</i>
<i>Child,</i>	<i>Foster,</i>	<i>McDonald, (Pres.)</i>	<i>Steele,</i>
<i>Crane,</i>	<i>Gilchrist,</i>	<i>Moore,</i>	<i>Taschereau,</i>
<i>Daly, Hon. D.</i>	<i>Hale,</i>	<i>Ogden, Hon. C.R.</i>	<i>Thompson,</i>
<i>Delisle,</i>	<i>Harrison, Hon.S.B.</i>	<i>Parke,</i>	<i>Thorburn,</i>
<i>Derbishire,</i>	<i>Holmes,</i>	<i>Powell,</i>	<i>Watts,</i>
<i>De Salaberry,</i>	<i>Hopkins,</i>	<i>Simpson,</i>	<i>Woods.—32.</i>

So it passed in the Negative.

Mr. *Baldwin* then moved, in amendment to the main motion, seconded by Mr. *Price*,

That all the words after "that," in the said motion, be struck out, and the following substituted: "the following clause be added to the said Bill, and do follow the 39th clause:—

"And be it enacted, that neither the District Councils established under the authority of the Ordinance of the Special Council of the late Province of *Lower Canada*, for the establishment of District Councils in that part of the Province, nor those established under the authority of this Act, shall, nor shall any of them, have any power or authority whatever to borrow any sum or sums of money whatever, upon the credit of their respective Municipal Districts, or of the property belonging to them in their corporate capacity, or in any other way whatever."

The House divided on the motion of amendment, and the names being called for, they were taken down, as followeth :—

YEAS.

<i>Armstrong,</i>	<i>Boutillier,</i>	<i>McLean,</i>	<i>Sherwood,</i>
<i>Baldwin,</i>	<i>Cartwright,</i>	<i>Morin,</i>	<i>Taché,</i>
<i>Barthe,</i>	<i>Christie,</i>	<i>Neilson,</i>	<i>Turcotte,</i>
<i>Berthelot,</i>	<i>Cook,</i>	<i>Parent,</i>	<i>Viger, Hon.D.B.</i>
<i>Borne,</i>	<i>Johnston,</i>	<i>Price,</i>	<i>Williams.—20.</i>

NOES.

<i>Buchanan,</i>	<i>Dunn, Hon. J. H.</i>	<i>Hopkins,</i>	<i>Simpson,</i>
<i>Cameron,</i>	<i>Dunscomb,</i>	<i>Killaly, Hon.H.H.</i>	<i>Small,</i>
<i>Child,</i>	<i>Durand,</i>	<i>McCulloch,</i>	<i>Smith, (Went.)</i>
<i>Crane,</i>	<i>Foster,</i>	<i>McDonald, (Pres.)</i>	<i>Steele,</i>
<i>Daly, Hon. D.</i>	<i>Gilchrist,</i>	<i>Moore,</i>	<i>Taschereau,</i>
<i>Delisle,</i>	<i>Hale,</i>	<i>Ogden, Hon. C. R.</i>	<i>Thompson,</i>
<i>Derbishire,</i>	<i>Harrison, Hon.S.B.</i>	<i>Parke,</i>	<i>Thorburn,</i>
<i>De Salaberry,</i>	<i>Hincks,</i>	<i>Powell,</i>	<i>Watts,</i>
<i>Draper, Hon. W.H.</i>	<i>Holmes,</i>	<i>Roblin,</i>	<i>Woods.—36.</i>

So it passed in the Negative.

Amendment lost.

Another amendment moved.

Amendment lost.

Another amendment
moved

Mr. *Baldwin* the moved, in amendment to the main motion, seconded by Mr. *Morin*,

That all the words after "that" in the said motion be struck out, and the following substituted:—"the following clause be added to the said Bill, and do follow the 45th clause:—" and be it enacted, that so much of the 41st section of the Ordinance of the Special Council of the late Province of *Lower Canada*, establishing District Councils in that part of this Province, as empowers the Governor of this Province to disallow any part of any By-Law, passed by any of the District Councils established by the said Ordinance, and also so much of the same section of the said Ordinance, as provides, that it shall be lawful for the said Governor to enlarge the time thereby limited for the disallowance of any such By-Law beyond the thirty days therein mentioned, shall be, and the same is hereby repealed: Provided always, that nothing herein contained shall be construed to prevent the Governor from disallowing the whole of any such By-Law, within the thirty days in and by the said 41st Section of the said Ordinance specified, in manner therein provided.

The House divided on the motion of amendment.

Yeas, 20.

Noes, 36.

And the names being called for, they were taken down as in the last preceding division.

Amendment lost

So it passed in the Negative.

Another amendment
moved

Mr. *Baldwin* then moved, in amendment to the main motion, seconded by Mr. *Price*,

That all the words after "that," in the said motion, be struck out, and the following substituted: "the 40th and 46th clauses be struck out of the said Bill."

The House divided on the motion of amendment.

Yeas, 20.

Noes, 36.

And the names being called for, they were taken down as in the last preceding division.

Amendment lost

So it passed in the Negative.

Another amendment
moved

Mr. *Baldwin* then moved, in amendment to the main motion, seconded by Mr. *Price*,

That all the words after "that," in the said motion, be struck out, and the following substituted: "the 49th clause be struck out of the Bill."

The House divided on the motion of amendment.

Yeas, 20.

Noes, 36.

And the names being called for, they were taken down as in the last preceding division.

Amendment lost.

So it passed in the Negative.

Another Amendment
moved.

Mr. *Baldwin*, then moved, in amendment to the main motion, seconded by Mr. *Price*,

That all the words after "that" in the said motion be struck out, and the following substituted:—

"The 59th. clause be struck out of the said Bill."

The House divided on the motion of amendment.

Yeas, 20.

Noes, 36.

And the names being called for, they were taken down as in the last preceding division.

Amendment lost.

So it passed in the Negative.

Mr. *Morin*, then moved, in amendment to the main motion, seconded by Mr. *Borne*, Another amendment moved (Mr. *Morin*.)

That all the words after "that" in the said motion be struck out, and the following substituted :—"The said Bill be recommitted, with an instruction to the Committee to consider the following propositions, and to amend the Bill in conformity thereto, so as to enact a measure common to both parts of the Province, viz :—

1st:—That the several clauses of the Ordinances of the Special Council of the late Province of *Lower Canada*, of the 4th VICTORIA, Chapters 3 and 4, which relate to the extent of the Districts, and to the nomination of Wardens and Officers by the Governor, ought to be amended, with a view to confine the Districts to the respective limits of the Counties ; and making the several Wardens and Officers elective by the People, so as to leave the Municipal authorities to be established in each District, the management of their own local affairs, without any undue interference, and consonant to the spirit of such bodies.

"2nd.—That the majority of the Wardens appointed under the last mentioned Ordinance, in the late Province of *Lower Canada*, do not possess the confidence of the Country, and that their nomination, coupled with the other provisions of the said Ordinances, will have tended only to discourage the People, and make them averse to the free institutions which those Ordinances have pretended to confer.

"3d.—That the instructions given to the said Wardens have a tendency directly opposite to the avowed principles of the said Ordinances, and are of a nature to destroy the free action of the Municipal Councils, which the said Wardens and other Officers will have in their power to check, hinder, and control.

"4.—That a large number of the places appointed for holding the said Municipal Councils are inconvenient, and unjust to the majority of the population of the said Municipal Districts, and will tend to deprive them of the advantages of well regulated local institutions, and that the selection of those places will tend, in many instances, to forward partial or sectional views, and to render the said Councils entirely dependant upon the Wardens and other Officers appointed under Executive authority."

The House divided on the motion of amendment, and the names being called for, they were taken down as followeth :—

YEAS.

<i>Armstrong,</i>	<i>Borne,</i>	<i>McLean,</i>	<i>Price,</i>
<i>Aylwin,</i>	<i>Boutillier,</i>	<i>Morin,</i>	<i>Taché,</i>
<i>Baldwin,</i>	<i>Christie,</i>	<i>Neilson,</i>	<i>Turcotte,</i>
<i>Barthé,</i>	<i>Johnston,</i>	<i>Parent,</i>	<i>Viger, Hon. D.B.</i>
<i>Berthelot,</i>			(17.)

NOES.

<i>Buchanan,</i>	<i>Dunn, Hon. J. H.</i>	<i>Killaly, Hon. H.H.</i>	<i>Roblin,</i>
<i>Cameron,</i>	<i>Dunscomb,</i>	<i>McCulloch,</i>	<i>Simpson,</i>
<i>Crane,</i>	<i>Durand,</i>	<i>McDonald, (Pres.)</i>	<i>Small,</i>
<i>Daly, Hon. D.,</i>	<i>Foster,</i>	<i>Moore,</i>	<i>Smith,</i>
<i>Delisle,</i>	<i>Gilchrist,</i>	<i>Ogden, Hon. C.R.</i>	<i>Steele,</i>
<i>Derbshire,</i>	<i>Hale,</i>	<i>Parke,</i>	<i>Taschereau,</i>
<i>De Salaberry,</i>	<i>Harrison, Hon. S.B.</i>	<i>Powell,</i>	<i>Thompson,</i>
<i>Draper, Hon. W.H.</i>	<i>Hincks,</i>	<i>Quesnel,</i>	<i>Thorburn.—32.</i>

So it passed in the Negative.

Mr. *Christie*, then moved, in amendment to the main motion, seconded by Mr. *Borne*, Amendment lost.

That all the words after "that" in the said motion be struck out, Another amendment moved (Mr. *Christie*.)

and the following substituted :—“ the following clause be added to the said Bill, and be the last clause thereof :—

“ And be it enacted, that this Act shall be and remain in force until the first day of May, one thousand eight hundred and forty six, and from thence until the end of the then next ensuing Session of the Legislature, and no longer.”

The House divided on the motion of amendment, and the names being called for, they were taken down as followeth :—

YEAS.

<i>Armstrong,</i>	<i>Boutillier,</i>	<i>Neilson,</i>	<i>Sherwood,</i>
<i>Aylwin,</i>	<i>Christie,</i>	<i>Parent,</i>	<i>Taché,</i>
<i>Baldwin,</i>	<i>Durand,</i>	<i>Price,</i>	<i>Turcotte,</i>
<i>Barthe,</i>	<i>McLean,</i>	<i>Roblin,</i>	<i>Viger, Hon. D.B.</i>
<i>Borne,</i>	<i>Morris,</i>	<i>Smith, (Went.)</i>	(19.)

NOES.

<i>Buchanan,</i>	<i>Dunn, Hon. J. H.</i>	<i>Killaly, Hon. H. H.</i>	<i>Quesnel,</i>
<i>Cameron,</i>	<i>Dunscombe,</i>	<i>McCulloch,</i>	<i>Simpson,</i>
<i>Crane,</i>	<i>Foster,</i>	<i>McDonald, (Prest.)</i>	<i>Small,</i>
<i>Daly, Hon. D.</i>	<i>Gilchrist,</i>	<i>Moore,</i>	<i>Steele,</i>
<i>Delisle,</i>	<i>Hale,</i>	<i>Ogden, Hon. C. R.</i>	<i>Taschereau,</i>
<i>Derbshire,</i>	<i>Harrison, Hon. S.B.</i>	<i>Parke,</i>	<i>Thompson,</i>
<i>De Salaberry,</i>	<i>Hincks,</i>	<i>Powell,</i>	<i>Thorburn.—30.</i>
<i>Draper, Hon. W.H.</i>	<i>Holmes,</i>		

Amendment lost.

So it passed in the Negative.

Another amendment
(Mr Durand)

Mr. *Durand*, then moved, in amendment to the main motion, seconded by Mr. *Morin*,

That all the words after “ that ” in the said motion be struck out, and the following substituted :—“ the 48th Clause of the said Bill be amended by striking out all the words after ‘ enacted,’ in the first line, and substituting the following in lieu thereof ;—“ *That each Councillor shall be entitled to receive a sum not exceeding seven shillings and six pence, currency, per day, for the time he shall be going to, attending at, and returning from his duties at the said Council.*”

The House divided on the motion of amendment, and the names being called for, they were taken down, as followeth :—

YEAS.

<i>Baldwin,</i>	<i>Durand,</i>	<i>Roblin,</i>	<i>Thorburn,</i>
<i>Berthelot,</i>	<i>Morin,</i>	<i>Smith, (Went.)</i>	<i>Turcotte,</i>
<i>Borne,</i>	<i>Parent,</i>	<i>Sherwood,</i>	<i>Viger, Hon. D.B.</i>
<i>Boutillier,</i>	<i>Powell,</i>	<i>Taché,</i>	<i>Woods.—18.</i>
<i>Christie,</i>	<i>Price,</i>		

NOES.

<i>Barthe,</i>	<i>Draper, Hon. W.H.</i>	<i>Hincks,</i>	<i>Quesnel,</i>
<i>Buchanan,</i>	<i>Dunn, Hon. J. H.</i>	<i>Holmes,</i>	<i>Simpson,</i>
<i>Cameron,</i>	<i>Dunscomb,</i>	<i>Killaly, Hon. H. H.</i>	<i>Small,</i>
<i>Crane,</i>	<i>Foster,</i>	<i>McCulloch,</i>	<i>Steele,</i>
<i>Daly, Hon. D.</i>	<i>Gilchrist,</i>	<i>Moore,</i>	<i>Taschereau,</i>
<i>Delisle,</i>	<i>Hale,</i>	<i>Ogden, Hon. C. R.</i>	<i>Thompson,</i>
<i>Derbshire,</i>	<i>Harrison, Hon. S.B.</i>	<i>Parke,</i>	<i>Watts.—29</i>
<i>De Salaberry,</i>			

Amendment lost.

So it passed in the Negative.

The question being then put on the main motion, viz :—" that the said Bill, as amended, be engrossed and read for the third time to-morrow." Main motion carried
Bill to be engrossed.

It was agreed to unanimously and—

Ordered—Accordingly.

On motion of Mr. *Price*, seconded by Mr. *Borne*,

Ordered—That there be a call of such Members of this House as are now in *Kingston*, to-morrow, at 3 o'clock, P. M. Call of House at 3
o'clock to-morrow.

A Bill to alter and amend the Laws now in force in that part of this Province formerly *Upper Canada*, regulating the District Courts, was, according to order, read a second time. Bill to amend U. C
District Court Act,
read 2nd time.

Ordered—That the said Bill be referred to a Committee of the whole House to-morrow.

A Bill to authorize the Stock held by private parties in the *Welland* Canal, to be purchased on behalf of the Province, was, according to order, read a second time. Welland Canal stock
purchase Bill, read
2nd time.

Ordered—That the said Bill be referred to a Committee of the whole House to-morrow.

A Bill to incorporate a Company under the style and title of " the City of *Toronto* Gas Light and Water Company" was, according to order, read a second time. Toronto Gas and wa-
ter Bill read 2nd time.

Resolved—That the said Bill be now referred to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. *Sherwood* took the chair of the Committee, and after some time spent therein, House in Committee
on the Bill.

Mr. Speaker resumed the chair,

And Mr. *Sherwood* reported, that the Committee had gone through the Bill, and made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same. Bill reported amended

Ordered—That the Report be received to-morrow.

On motion of Mr. *Baldwin*, seconded by Mr. *Price*,

Ordered—That the Order of the day, for the House in Committee on the Bill, the better to provide for the freedom of elections throughout this Province, and for other purposes therein mentioned, and the Bill, to provide for the enregistration of persons entitled to vote at elections of Members of the Legislative Assembly of this Province; and to make better provision for the holding of such elections, be postponed until to-morrow, and that it be then the first Order of the day. Order of day for House
in Committee on elec-
tion Bill and Registra-
tion Bill postponed till
to-morrow.

A Bill to encourage the establishment of, and to regulate Savings Banks in this Province, was according to order, read a second time. Savings Banks Bill
read 2nd. time.

Ordered—That the said Bill be referred to a Committee of the whole House on *Wednesday* next.

The names of the Members present were taken down, as followeth :—

Mr. Speaker,

Mr. *Armstrong*, Mr. *Boutillier*, Mr. *Buchanan*, Mr. *Cameron*, Mr. *Delisle*, Mr. *Durand*, Mr. *Foster*, Mr. *Gilchrist*, Mr. *Harrison*, Mr. *Hincks*, Mr. *Holmes*, Mr. *McCulloch*, Mr. *Morin*, Mr. *Parke*, Mr. *Powell*, Mr. *Price*, Mr. *Sherwood*, and the Honourable Mr. *Viger*. No Quorum.

And at half past 11 o'clock at night, Mr. Speaker adjourned the House, for want of a Quorum.

Jovis, 19^o die Augusti ;
Anno 5^o Victoriae Reginae, 1841.

House called.

Pursuant to the Order of the day, at three o'clock, P. M., the House was called.

MEMBERS ABSENT.

Mr. *Campbell*.
Mr. *Desrivieres*.
Mr. *Hamilton*.
Mr. *Jones*, (with leave.)
The Honorable Mr. *Killaly*.
Mr. *Kimber*, (with leave.)
Mr. *Noel*.
Mr. *Strachan*.

Petitions brought up.

The following Petitions were severally brought up, and laid on the Table :—

J. Snider and others

By Mr. *Price*—The Petition of *Jacob Snider*, and others.

R. E. Vidaland others

By Mr. *Cameron*—The Petition of *Richard E. Vidal*, and others, inhabitants of the township of *Sarnia*.

Chairman of Committee on Huron election reports absence of Mr. *Nilson*

Mr. *Christie*, Chairman of the Committee appointed to try the merits of the Petition of *William Dunlop*, of *Cairbrail*, in the county of *Huron*, Esquire, complaining of the undue election and return of *James Mc Gill Strachan*, Esq., as a member to represent the county of *Huron*, reported to the House that the Committee met, this forenoon, pursuant to adjournment, and that Mr. *Nilson* was absent.

Bill to amend Her and Divisee Acts of U. C. passed.

An engrossed Bill, to amend and consolidate the several Acts of the Legislature of *Upper Canada*, passed for the relief of persons claiming lands under the Nominees of the Crown, in cases where no patent hath issued for such lands, was read for the third time.

Resolved—That the Bill do pass.

Ordered—That Mr. *J. S. MacDonuld*, do carry the said Bill to the Legislative Council, and desire their concurrence.

Order of day for third reading U. C. District Council Bill read.

The Order of the day, for the third reading of the engrossed Bill to provide for the better internal Government of that part of this Province, heretofore *Upper Canada*, by the establishment of local or Municipal authorities therein, being read,

Motion to discharge the same

Mr. *Baldwin* moved, seconded by Mr. *Price*,

That the said Order of the day be discharged, and that the said Bill be read for the third time this day six months.

The House divided on the question, and the names being called for, they were taken down, as followeth :—

YEAS.

<i>Armstrong,</i>	<i>Cartwright,</i>	<i>McDonald, (Glen.)</i>	<i>Smith, (Fron.)</i>
<i>Aylwin,</i>	<i>Chesley,</i>	<i>McLean,</i>	<i>Sherwood,</i>
<i>Baldwin,</i>	<i>Christie,</i>	<i>Merritt,</i>	<i>Taché,</i>
<i>Barthe,</i>	<i>Cook,</i>	<i>Moffatt, Hon. G.</i>	<i>Turcotte,</i>
<i>Berthelot,</i>	<i>Duggan,</i>	<i>Morin,</i>	<i>Viger, Hon. D.B.</i>
<i>Borne,</i>	<i>Durand,</i>	<i>Parent,</i>	<i>Williams,</i>
<i>Boutillier,</i>	<i>Johnston,</i>	<i>Price,</i>	<i>Woods.—31</i>
<i>Burnet,</i>	<i>McNab,</i>	<i>Sir A.N. Roblin,</i>	

NOES.

<i>Black,</i>	<i>Draper, Hon. W. H. McCulloch,</i>	<i>Ruel,</i>
<i>Boswell,</i>	<i>Dunn, Hon. J. H. McDonald, (Pres.)</i>	<i>Simpson,</i>
<i>Buchanan,</i>	<i>Dunscumb,</i>	<i>Moore,</i>
<i>Cameron,</i>	<i>Foster,</i>	<i>Morris,</i>
<i>Child,</i>	<i>Gilchrist,</i>	<i>Ogden, Hon. C. R.</i>
<i>Crane,</i>	<i>Hale,</i>	<i>Parke,</i>
<i>Daly, Hon. D.</i>	<i>Harrison, Hon. S. B. Powell,</i>	<i>Steele,</i>
<i>Day, Hon. C. D.</i>	<i>Hincks,</i>	<i>Thompson,</i>
<i>Delisle,</i>	<i>Holmes,</i>	<i>Quesnel,</i>
<i>Derbshire,</i>	<i>Hopkins,</i>	<i>Raymond,</i>
<i>De Salaberry,</i>		<i>Robertson,</i>
		<i>Watts,</i>
		<i>Yule.—41.</i>

So it passed in the Negative.

Mr. *Morris* moved, seconded by Mr. *Williams*,

That the following engrossed clauses, marked A. and B., be added to the said Bill by way of ryder, and do follow the 7th clause of the said Bill, and make part thereof :—

Motion lost.

Ryder moved.

CLAUSE A.

“ And be it enacted, that before the person presiding at such election of Councillor or Councillors, shall proceed to Poll the votes thereat, he shall subscribe and take the following oath, before some Justice of the Peace of the District, who is hereby empowered and authorized to administer the same, and who shall certify and return such affidavit to the Warden of the District, to be by him delivered to the Clerk of the Council, for safe keeping among the records and papers of the Council :—

‘ I, C. D., do swear (or solemnly affirm) that I have not, directly or indirectly, by myself or any other person, received any fee, gift, gratuity, or reward, either in money or otherwise, or the promise of any, as a consideration for my returning, or effecting the return of any person as a member of the District Council, for the District of (as the case may be) that I will, to the best of my skill and ability, fairly, honestly, and faithfully, conduct the present election for the choice of a member (or members as the case may be) of the said Council, and truly return the Candidate (or Candidates if two members are to be chosen) who, at the final close, shall appear to have the majority of votes ; and that I will use my best endeavours to preserve peace and order at such election, and to give all persons entitled to vote, free and unmolested access to and from the Poll.’ ”

CLAUSE B.

“ And be it enacted, that the person presiding at every such election shall, during the day and days on which the election may be held, be fully empowered to Act as a Conservator of the Peace, in and for the District ; and such person presiding, or any Justice or Justices of the Peace present at such election, shall and may arrest, or cause to be arrested, and may try or bind over for trial, or summarily punish, by fine or imprisonment, or both, any riotous or disorderly person or persons, or any person or persons who may assault, beat, molest, or threaten, any elector, at coming to, or returning from the said election, and when thereto required, all constables and others at the said election, are enjoined to aid and assist such person presiding, and Justice or Justices of the Peace, in discharging such duties, under pain of being deemed guilty of a misdemeanor, and liable to punishment therefor ; and all Justices of the Peace residing in the Township wherein the election is held, shall, upon being notified in writing by such person presiding, attend at such election for the purpose of aiding in preserving peace and order thereat, and such Justice or Justices,

or person presiding, shall and may, when they consider it necessary, appoint and swear in any number of Special Constables, not exceeding twenty-five, to act as Peace Officers, and assist in maintaining peace and order at such election."

Bydnt adopted

The said clauses being thrice read, and the question being put thereon, they were agreed to by the House.

Motion to postpone the consideration of the measure on account of the absence of any petitioners on the subject

Sir *Allan McNab* then moved, seconded by Mr. *Cartwright*,

That the said Order of the day be discharged, and that it be

Resolved—That in the absence of any Petitions from the people of this Province for any alteration in their local Institutions, this House, in justice to their Constituents, feel it to be their duty to postpone the consideration of this subject until the next Session of the Legislature, in order that the well understood wishes of the people of this Province may be fairly and fully expressed, upon this highly important question.

The House divided on the question, and the names being called for, they were taken down as followeth:—

YEAS.

<i>Armstrong,</i>	<i>Cartwright,</i>	<i>McNab, Sir A. N. Roblin,</i>
<i>Aylwin,</i>	<i>Chesley,</i>	<i>McDonald, (Glen.) Smith, (Fron.)</i>
<i>Baldwin,</i>	<i>Christie.</i>	<i>McLean,</i>
<i>Barthe,</i>	<i>Cook,</i>	<i>Merritt,</i>
<i>Berthelot,</i>	<i>Duggan,</i>	<i>Morin,</i>
<i>Borne,</i>	<i>Durand,</i>	<i>Parent.</i>
<i>Boutillier,</i>	<i>Johnston,</i>	<i>Prie.</i>
<i>Burnet.</i>		<i>Sherwood,</i>
		<i>Taché,</i>
		<i>Turcotte,</i>
		<i>Viger, Hon. D. B.</i>
		<i>Woods—29.</i>

NOES.

<i>Black,</i>	<i>Draper, Hon. W. H.</i>	<i>McCulloch,</i>	<i>Ruel,</i>
<i>Boswell,</i>	<i>Dunn, Hon. J. H.</i>	<i>McDonald, (Pres.)</i>	<i>Simpson,</i>
<i>Buchanan.</i>	<i>Dunscomb,</i>	<i>Moffatt, Hon. G.</i>	<i>Small,</i>
<i>Cameron,</i>	<i>Foster,</i>	<i>Moore,</i>	<i>Smith, (Went.)</i>
<i>Child,</i>	<i>Gilchrist,</i>	<i>Morris,</i>	<i>Steele,</i>
<i>Crane,</i>	<i>Hale,</i>	<i>Ogden, Hon. C. R.</i>	<i>Taschereau,</i>
<i>Daly, Hon. D.</i>	<i>Harrison, Hon. S. B.</i>	<i>Parke,</i>	<i>Thompson,</i>
<i>Day, Hon. C. D.</i>	<i>Hincks,</i>	<i>Powell,</i>	<i>Thorburn,</i>
<i>Delisle,</i>	<i>Holmes,</i>	<i>Quesnel,</i>	<i>Watts,</i>
<i>Derbshire,</i>	<i>Hopkins,</i>	<i>Raymond,</i>	<i>Yule,—(43.)</i>
<i>De Salaberry,</i>	<i>Killaly, Hon. H. H.</i>	<i>Robertson,</i>	

Motion lost

So it passed in the Negative.

Bill read 3rd time

The said Bill was then, according to Order, read for the third time.

Motion that the Bill do pass

The Honourable Mr. *Harrison* moved, seconded by Mr. Attorney General *Draper*,

That the Bill do pass, and that the title be "*An Act to provide, or the better internal Government of that part of this Province, which formerly constituted the Province of Upper Canada, by the establishment of Local or Municipal authorities therein.*"

The House divided on the question, and the names being called for, they were taken down as followeth:—

YEAS.

<i>Black,</i>	<i>Child,</i>	<i>Delisle,</i>	<i>Dunn, Hon. J. H.</i>
<i>Boswell,</i>	<i>Crane,</i>	<i>Derbshire,</i>	<i>Dunscomb,</i>
<i>Buchanan,</i>	<i>Daly, Hon. D.</i>	<i>De Salaberry,</i>	<i>Foster,</i>
<i>Cameron,</i>	<i>Day, Hon. C. D.</i>	<i>Draper, Hon. W. D.</i>	<i>Gilchrist,</i>

<i>Hale,</i>	<i>McDonald, (Pres.)</i>	<i>Raymond,</i>	<i>Steele,</i>
<i>Harrison, Hon. S.B.</i>	<i>Moore,</i>	<i>Robertson,</i>	<i>Tuschereau,</i>
<i>Hincks,</i>	<i>Morris,</i>	<i>Ruel,</i>	<i>Thompson,</i>
<i>Holmes,</i>	<i>Ogden, Hon. C.R.</i>	<i>Simpson,</i>	<i>Thorburn,</i>
<i>Hopkins,</i>	<i>Parke,</i>	<i>Small,</i>	<i>Watts,</i>
<i>Killaly, Hon. H.H.</i>	<i>Powell,</i>	<i>Smith, (Went.)</i>	<i>Yule.—42.</i>
<i>McCulloch,</i>	<i>Quesnel,</i>		

NOES.

<i>Armstrong,</i>	<i>Cartwright,</i>	<i>McDonald, (Glen.)</i>	<i>Roblin,</i>
<i>Aylwin,</i>	<i>Chesley,</i>	<i>McLean,</i>	<i>Smith, (Front.)</i>
<i>Baldwin,</i>	<i>Christie,</i>	<i>Merritt,</i>	<i>Sherwood,</i>
<i>Barthe,</i>	<i>Cook,</i>	<i>Moffatt, Hon. G.</i>	<i>Toché,</i>
<i>Berthelot,</i>	<i>Duggan,</i>	<i>Morin,</i>	<i>Turcotte,</i>
<i>Borne,</i>	<i>Durand,</i>	<i>Parent,</i>	<i>Viger, Hon. D.B.</i>
<i>Boutillier,</i>	<i>Johnston,</i>	<i>Price,</i>	<i>Woods.—30.</i>
<i>Burnet,</i>	<i>MacNab, Sir A.N.</i>		

So it was carried in the affirmative, and Resolved accordingly.

Carried.

Ordered—That the Honourable Mr. Harrison do carry the said Bill to the Legislative Council, and desire their concurrence.

Pursuant to the Order of the day, the following Petitions were read:—

Petitions read.

Of the Reverend James Quinlan, and others, of Barrie, County of Simcoe, praying for an aid to complete the erection of a Church.

Of Rev. J. Quinlan.

Of Charles Williams, of the Township of Rainham, praying to be naturalized.

Of C. Williams.

Of Thomas Rains, and others, of the Township of Grenville, praying for a grant of £1,000 to build a Bridge across the River Rouge, in the said Township.

Of T. Rains and others.

Ordered—That the Petition of the Reverend S. C. Fraser, and others, of the Township of Inverness, County of Megantic, presented to the House on the 16th instant, be referred to the Select Committee, to which was referred the Bill to repeal certain Acts therein mentioned, and to make provision for the establishment and maintenance of Common Schools throughout the Province, and other references.

Petition of Rev. S. C. Fraser, and others referred to committee on schools.

Ordered—That the Petition of the Reverend John Cook, Robert Symes, Andrew Stuart, and others, of Quebec, presented to the House yesterday, be referred to the said Committee.

Petition of Rev. J. Cook, and others, referred to same Committee.

Ordered—That the Petition of the Rev. Joseph Anderson, and others, members of the Congregational Church of Melbourne, and its vicinity, presented to the House yesterday, be referred to the said Committee.

Petition of Rev. J. Anderson and others referred to same Committee.

The Honourable Mr. Moffatt, from the Select Committee to which were referred the Resolutions of this House of the 4th instant, on the Inspection Laws, with power to report by Bill or Bills, presented to the House a Bill to regulate the inspection of Beef and Pork, and a Bill to regulate the inspection of Flour and Meal, which were severally received and read for the first time.

Committee on inspection laws, report

Ordered—That the Bill to regulate the inspection of Beef and Pork be read a second time to-morrow.

Bill for inspection of Beef and Pork, and

Ordered—That the Bill to regulate the inspection of Flour and Meal be read a second time on Monday next.

Bill for inspection of Flour and Meal.

House to go into Committee, on Monday, on copy right Law of L. Canada.

On motion of Mr. *Williams*, seconded by Mr. *Dunscomb*.

Resolved—That this House will, on *Monday* next, resolve itself into a Committee of the whole House, to consider the expediency of repealing the Act of the late Province of *Lower Canada*, of the 2nd *WILLIAM* the Fourth, Chapter 53, relating to the protection of copyrights, with the view of making new enactments on the same subject, for the Province of *Canada*.

House to go into Committee, to-morrow, on Judicature Ordinance respecting District, of Gaspé.

On motion of Mr. *Christie*, seconded by Mr. *Borne*.

Resolved—That this House will, on to-morrow, resolve itself into a Committee of the whole House to take into consideration the expediency of amending the Ordinance of the Governor and Special Council of the late Province of *Lower Canada*, 4th *VICTORIA*, Chapter 45, for altering and amending the Judicature of the said Province, in so far only as the said Ordinance relates the “Territorial Division of *Gaspé*” established by it.

Order of day for House in Committee on election Bill, and Registration Bill, postponed till to-morrow.

On motion of Mr. *Baldwin*, seconded by *Durand*,

Ordered—That the Order of the day for the House in Committee on the Bill the better to provide for the freedom of elections throughout this Province, and for other purposes therein mentioned, and the Bill to provide for the enregistration of persons entitled to vote at elections of members of the Legislative Assembly of this Province, and to make better provision for the holding of such elections, be postponed until to-morrow, and that it be then the first order of the day.

Chairman of Com. of whole on remunerating Speaker reports resolutions

Mr. *Boutillier*, from the Committee of the whole House to take into consideration the propriety of providing for the payment of an annual salary to the Honorable the Speaker of this House, reported, according to order, the Resolutions of the said Committee, which Resolutions were again read at the Clerk's Table, and are as followeth:—

1st Resolution.

Resolved—That it is expedient, that provision ought to be made for a suitable remuneration to the Honourable the Speaker of this House, in the shape of an annual salary.

2nd Resolution

Resolved—That the sum of one thousand pounds be granted annually to Her Majesty, to enable Her Majesty to pay the like sum to the Honourable the Speaker of this House.

1st Resolution adopted

Ordered—That the question of concurrence be now separately put upon the said Resolutions.

And the first of the said Resolutions being again read, and the question of concurrence being put thereon, it was agreed to by the House, and

Resolved accordingly.

Consideration of 2nd. Resolution postponed till to-morrow.

The second of the said Resolutions being again read,

Ordered—That the further consideration of the said Resolution be postponed until to-morrow, and that it be then the second Order of the day.

Chairman of Committee of whole on Toronto Gas and water Co. Bill report amendments.

Mr. *Sherwood*, from the Committee of the whole House on the Bill to incorporate a Company under the style and title of the “City of *Toronto* Gas Light and Water Company,” reported, according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's Table, and agreed to by the House.

Amendments agreed to.

Ordered—That the said Bill, as amended, be engrossed, and read for the third time to-morrow.

The names of the members present were taken down as followeth :

Mr. Speaker,

No quorum.

Mr. *Baldwin*, Mr. *Black*, Mr. *Borne*, Mr. *Boswell*, Mr. *Boutillier*, Mr. Solicitor General *Day*, Mr. *Durand*, Mr. *Gilchrist*, Mr. *Morris*, Mr. *Powell*. Mr. *Quesnel*, Mr. *Raymond*, Mr. *Simpson*, and the Honourable Mr. *Viger*.

And, at 11 o'clock at night, Mr. Speaker adjourned the House for want of a Quorum.

Veneris, 20^o die Augusti ;

Anno 5^o Victoriae Reginae, 1841.

Mr. *Christie*, chairman of the Select Committee appointed for taking into consideration the Petition of *William Dunlop*, of *Gairbraid*, in the County of *Huron*, Esquire, complaining of the undue election and return of *James McGill Strachan*, Esquire, as a member to represent the County of *Huron* in this present Parliament, presented to the House the final Report of the said Committee, which was again read at the Clerk's Table, as followeth:—

Committee on Huron contested election present final report.

Resolved—That the Petitioner, *William Dunlop*, Esquire, having the majority of legal votes on the Poll Book at the last election for the County of *Huron*, was duly elected.

Report.

Resolved—That the opposition to the Petition of the said Petitioner, was not frivolous or vexatious.

On motion of Mr. Attorney General *Draper*, seconded by Mr. Solicitor General *Day*,

Clerk of Crown in Chancery directed to amend Return for County of Huron.

Ordered—That the Clerk of the Crown in Chancery do attend this House forthwith, with the last return for the County of *Huron*, and do amend the same by rasing out the name of *James McGill Strachan*, Esq., and inserting the name of *William Dunlop*, Esquire.

The Clerk of the Crown in Chancery attended, according to order, and amended the said return for the County of *Huron*.

Return amended accordingly.

William Dunlop, Esquire, member, for the County of *Huron*, having previously taken the oath, according to law, and subscribed, before the Commissioners, the Roll containing the same, took his seat in the House.

W. Dunlop, Esq takes his seat as Member for County of Huron.

The following Petitions were severally brought up, and laid on the Table:—

Petitions brought up.

By Mr. *Fule*—The Petition of the Reverend *P. M. Mignault*, *Augustus Hutt*, and others, inhabitants of *Chambly*.

Rev. P. Mignault and others.

By Mr. *Powell*—The Petition of *James May*, and others, inhabitants of the *Talbot* District.

J. May and others.

By Mr. *Prince*—The Petition of *Robert Defries*, and others, Messengers and Servants of the late House of Assembly of *Upper Canada*.

R. Defries and others.

By Mr. *Durand*—The Petition of *Andrew Ritchie*, and others, of the District of *Wellington*.

A. Ritchie and others.

An engrossed Bill to incorporate a Company under the style and title of the "City of *Toronto* Gas light and water Company" was according to order, read for the third time.

Toronto Gas and Water Company Bill passed.

Resolved—That the Bill do pass.

Ordered—That Mr. *Holmes*, do carry the said Bill to the Legislative Council, and desire their concurrence.

Pursuant to the Order of the day, the following Petitions were read:

Petitions read.

Of the Reverend *Thomas Phillips*, of *Etobicoke*, stating that he is a Chaplain to the Legislature of the late Province of *Upper Canada*, and praying for a retired allowance of £100 per annum.

Of Rev. T. Phillips.

Of the Right Reverend the Bishop and Clergy of *Toronto*, praying that the education of the Children of their own Church may be entrusted to their own Pastors; and that an annual grant from the assessments may be awarded for their instruction.

Of the Bishop and Clergy of Toronto.

- Of Rev. J. Anderson and others. Of the Reverend *Joseph Anderson*, and others, Members of the Congregational Church of *Milbourne*, and its vicinity, praying that the Scriptures may be recognized as a class book in the Schools and Seminaries of the Province.
- Of A. Johnston and others. Of *Alexander Johnston*, and others, inhabitants of *North Gore*, praying for an aid for Roads and Bridges in said *Gore*.
- Of Rev. Rem. Gaulin and others. Of the Right Reverend *Remegius Gaulin*, Roman Catholic Bishop of *Kingston*, and of the Reverend *A. Mauscau*, and *H. Hudon*, administrators of the diocese of *Montreal*, stating objections against the principles of the Bill, for the establishment of common Schools, now before the House, and desiring that it may not become Law until the opinion of the *Catholics*, and other religious denominations be known.
- Of T. Gardner and others. Of *Thomas Gardner*, and others, of the County of *Beauharnois*, praying that they be allowed to become Members of the Mutual Fire Insurance Company of the County of *Montreal*.
- Of Rev. J. McMorine and others. Of the Reverend *John McMorine*, and others Members of the *Presbyterian* Church in *Milbourne*, praying that the Scriptures may be recognized as a Class Book, in the Schools and Seminaries of the Province.
- Of C. Wagner and others. Of *Charles Wagner*, and others, apprentice Pilots for the River *St. Lawrence*, praying that they may be granted a license to act as Pilots in said River.
- Of Rev. J. Cook and others. Of the Reverend *John Cook*, *Robert Symes*, *Andrew Stuart*, and others, of *Quebec*, praying that the Scriptures may be recognized as a Class Book in the Schools and Seminaries of the Province.
- Of McPherson, Crane, & Co. Of *McPherson, Crane*, and Company, and others, engaged in the trade of forwarding, suggesting that means be taken to established a Censorship, whereby the fitness of Men for acting in the capacity of Pilots between the Village of the *Cedars* and the foot of the *Cascades* may be tested, and restricting their operations to within those points; and that fair remunerating prices be established for training a sufficient number for the correct performance of that duty.
- Of P. Langlois and others. Of *Pierre Langlois*; and others, Pilots for and below the Harbour of *Quebec*, praying that no Bill may be passed affecting their interests without allowing them an opportunity to be heard thereon.
- Of H. McGilvray and others. Of *Hector McGilvray*, and others, inhabitants of the County of *York* and City of *Toronto*, praying for the effectual suppression of *Orange Associations*.
- Petitions referred*
- Of M. Rourke, to a Committee. On motion of Mr. *Johnston*, seconded by Mr. *Sherwood*,
Resolved—That the Petition of *Mather Rourke*, of *Kingston*, Merchant, presented to the House on the 16th instant, be referred to a Select Committee, composed of Mr. *Armstrong*, Mr. *Price*, Mr. *Morin*, Mr. *Taché*, Mr. Solicitor General *Daly*, and Mr. *Roblin*, to examine the contents thereof, and report thereon with all convenient speed, by bill or otherwise; with power to send for persons, papers, and records.
- Of McPherson, Crane & Co. to a Committee on transit of products. Ordered—That the Petition of *McPherson, Crane*, and Company, and others engaged in the trade of forwarding, be referred to the Special Committee appointed to examine into the prices paid and the method adopted for the transit of products on the different communications within this Province; and to which was referred the Message of His Excellency the Governor General relating to the introduction of the products of the Province into the Ports of *Great Britain*, free of duty.
- Of Bishop and Clergy of Toronto to a Committee on schools. Ordered—That the Petition of the Right Reverend the Bishop, and Clergy of *Toronto*, be referred to the Select Committee on the Bill to repeal certain Acts therein mentioned, and to make provision for the establishment and maintenance of Common Schools throughout this Province, and other references.

Ordered—That the Petition of the Reverend *John McMorine* and others Members of the *Presbyterian Church in Melbourne*, be referred to the said Committee.

Of Rev. J. McMorine, to same Committee

On motion of Mr. *Cameron*, seconded by Mr. *Duand*.

Resolved—That the Petition of *Richard E. Vidal*, and others, inhabitants of the Township of *Sarnia*, presented to the House yesterday, be referred to a Select Committee, composed of Mr. *Duand* and Mr. *Neilson*, to examine the contents thereof, and report thereon with all convenient speed, by Bill or otherwise; with power to send for persons, papers, and records.

Of R. E. Vidal and others to select Committee.

Ordered—That the Petition of *Pierre Langlois*, and others, Pilots for and below the harbor of *Quebec*, be referred to the Select Committee to which was referred the Bill to repeal and amend, in part, certain Acts therein mentioned, and to extend the powers, and increase the funds, of the *Trinity House of Quebec*.

Of P. Langlois and others to Committee on Trinity House, Quebec.

The Honourable *S. B. Harrison*, presented, pursuant to an Address to His Excellency the Governor General, of the 5th instant, a Return on the subject of Responsible Government.

Return respecting Responsible Government laid before the House.

For the said Return, see appendix (B. B.)

And also a Return to an Address to His Excellency the Governor General, of the 13th instant, on the subject of the naturalization of Aliens.

Also Return to Address on naturalization of Aliens.

RETURN

To an Address from the House of Assembly to His Excellency the Governor General, dated 13th *August*, 1841, praying for “copies of all despatches from Her Majesty’s Government to the Executive of this Province, on the subject of the naturalization of Aliens; and also those which may have been addressed by the Provincial Government to the Colonial Secretary, on the same subject, and all other documents relative thereto.”

Return

NIL.

N. B. A Despatch was, however, received by the Governor General of *British North America*, while in *Lower Canada*, and before the Union of the Provinces, from the enclosure to which an extract is subjoined, as well as from a despatch in reply, having reference to conferring privileges prospectively, as an inducement to *Americans* to settle.

THOS. C. MURDOCH.

Kingston, 20th August, 1841.

Extract from a letter from the Colonial Land and Emigration Commissioners, to the Colonial Department, dated 4th *August*, 1840, and enclosed in a despatch from Lord *John Russell* to the Governor General, dated 8th *September*, 1840, No. 221 :

Extract from enclosure in Despatch from Lord J. Russell on granting land to American.

“As connected with the subject, we may mention that a great proportion of these occupants are said to be natives of the United States, and consequently incapable of acquiring property in Land. But of their superior skill and industry in clearing the ground they occupy, there can be no doubt. In fact it is not to be supposed that any class of persons coming from an old country, can equal their knowledge, courage, and endurance, in contending with, and overcoming the passive resistance of the wilderness. It seems obviously desirable that so useful a description of settlers should be enabled to acquire a title to Land themselves; and we therefore hope that the Legislature in *Canada*, as we believe has been the case in the Upper Province, will afford facilities to the naturalization of well conducted and resident foreigners, who may be desirous of acquiring a recognized property in Land.”

“ We recommend that facilities should be afforded to resident and well conducted Foreigners, to acquire a valid title to landed property.”

Extract from a despatch from the Governor General to the Right Honourable Lord *John Russell*, dated *Montreal*, 12th October, 1840, No. 179.

Extract from Despatch from His Excellency to Lord J. Russell on encouraging settlers from the United States.

The encouragement of settlers from the United States, by any direct alteration of the existing Law, I should deprecate at the present moment. Practically, there is, I believe, no difficulty in their acquiring land, but I do not think it would be advantageous to confer on them, as a right, what they now enjoy only on the sufferance of the *British* Government.

With every respect for their energy and intelligence, and fully admitting that as the pioneers of civilization they are superior to every other people, I do not think it would be wise, by any general measure, to invite their settlement in large numbers in the more populous portions of *Canada*. There is a spirit of propagandism among *American* citizens, which makes it necessary to observe great caution in this matter. At the same time, I think that, in individual cases, their claims to be admitted to the rights of *British* subjects, on certain conditions, should be considered in the most liberal spirit; and I am happy to believe that for several years past, this spirit has prevailed in both Provinces.”

Message from His Excellency.

The Honourable *S. B. Harrison*, one of Her Majesty's Executive Council, delivered to Mr. Speaker two Messages from His Excellency the Governor General, signed by His Excellency.

And the said Messages were read by Mr. Speaker, all the members of the House being uncovered, and are as followeth:—

SYDENHAM,

Message with copy of Instructions to His Excellency

In answer to two Addresses of the 10th August, the Governor General informs the House of Assembly, that Her Majesty's Government having deemed it expedient to make public the “Instructions”, with which he was honoured on assuming the Government of Her Majesty's possessions in *British North America*, he has great pleasure in laying them before the House of Assembly. There are no communications to Sir *George Arthur* answering the description of “Instructions,” the directions of Her Majesty's Government, having been conveyed in the usual way in despatches, bearing on different subjects, as occasion required.

Government House, }
Kingston, 19th August, 1841. }

No. 1.

Downing Street, 7th September, 1839.

SIR,

Despatch conveying to His Excellency Her Majesty's Instructions on his assumption of the Government of Br. N. America.

The Queen having been pleased to confide to you the Government of the *British* Provinces in *North America*, I now transmit to you the various commissions, under the Great Seal, which authorize you to assume and execute that office. The intimate knowledge, which, as one of Her Majesty's confidential advisers, you have acquired, of the progress of *Canadian* affairs during the last few years, and of the views of Her Majesty's Government on that subject, relieves me from the necessity of entering on various explanations, which it would otherwise have been my duty to afford you. But it is fit that I should, on the present occasion, record for your guidance the intentions of the Ministers of the Crown, on the principal topics of *Canadian* policy, on which you will be called, as the Governor of those Provinces, to co-operate with them.

The Bill introduced into the House of Commons during the present Session of Parliament, embodied, as you are aware, the results of deliberate reflection on the various suggestions contained in the Reports of the Earl of *Durham*. The hope of passing that measure into a law, before the Parliamentary recess, was defeated by various circumstances which occurred, and especially by the intelligence, which, in the commencement of the month of *June*, reached us, from the Lieutenant Governor of *Upper Canada*, of the state of public opinion in that Colony, as expressed by the Resolutions of the Council and Assembly. We have never concealed from ourselves, that the success of any plan for the settlement of *Canadian* affairs, must depend on the concurrence and support of the Provinces themselves. To learn their deliberate wishes, and to obtain their co-operation, by frank and unreserved personal intercourse, will, therefore, be the first and most important of the duties which you will be called upon to perform.

Despatch conveying to His Excellency Her Majesty's Instructions on his assumption of Government of Br. N. America.

In our anxiety thus to consult, and as far as may be possible, to defer to public opinion in the *Canadas*, on the subject of Constitutional changes, Her Majesty's Government must be understood as entertaining a very strong conviction in favor of the Policy of the measure, which they have proposed for the adoption of Parliament, attaching minor importance to the subordinate details of that Bill, we have found no sufficient reason for distrusting the principles on which it proceeds. These are,—a Legislative Union of the two Provinces—a just regard to the claims of either Province in adjusting the terms of that Union—the maintenance of the three Estates of the Provincial Legislature—the settlement of a permanent Civil List for securing the independence of the Judges, and to the Executive Government, that freedom of action which is necessary for the Public good,—and the establishment of a system of Local Government, by representative Bodies, freely elected, in the various Cities and Rural Districts. From any of these principles, Her Majesty's Government would be most reluctant to recede. After a full investigation of every other plan which has been suggested, they have not been able to discern, in any but this, the reasonable hope of a satisfactory settlement. It will therefore be your first duty to endeavour to obtain for that measure, such an assent in its general principles, and such a correction of its details, as may render it acceptable to the Provinces, and productive of permanent advantage. There are various modes by which this object may be accomplished, and in giving an outline of them Her Majesty has commanded me to express to you Her reliance upon your judgment, to be formed upon the spot, as to the employment of such as may be most conducive to the contentment and advantage of Her *Canadian* subjects.

1. You may appoint, by authority of the Executive, a certain number of persons of weight and experience, selected from each Province, to frame articles of Union, to be afterwards proposed to the Legislature of *Upper Canada*.

2. You may assemble the Legislature of *Upper Canada*, and propose to them the appointment of a certain number of Commissioners, to confer with others named by the Special Council of *Lower Canada*.

3. If you find that your overtures to the Assembly of *Upper Canada*, are not met in a fair, conciliatory, and reasonable spirit, you may proceed to dissolve the present Assembly, and appeal to the sense of the inhabitants of the Province. But in the late unsettled state of the Province, in the presence of repressed disaffection, with the necessity of a second dissolution before the Assembly of the United Province can meet,—this step must not be resorted to without the gravest deliberation.

In whatever method you may proceed, Her Majesty's Government will expect to receive from you, founded on competent authority, such a

Despatch conveying to His Excellency Her Majesty's Instructions on his assumption of the Government of Br. N. America.

plan of representation, with a division into Cities and Districts, as may enable them to lay the scheme before Parliament, with confidence in the data on which it has been framed, and in the justice of the general arrangement.

I will not now argue on a further supposition, viz : that from difficulty of detail, or mutual disinclination, the plan of Union may be found altogether impracticable, should you find, after all your efforts that such is the result, you will lose no time in communicating to me, for Her Majesty's information, the grounds of your opinion, and the nature of any alternative which may seem to you more conducive to the general good.

But above all things, it is important to avoid unnecessary delay. The discussion which has already been protracted at the expense of so much evil, and still greater hazard to the interests of the *Canadian Provinces*, and of this Kingdom, cannot be too speedily brought to a close. Her Majesty's Government will therefore anxiously await the result of your enquires as to the state of public opinion in the *Canadas*, respecting the proposed Union, and the terms on which, in your opinion, it should be effected. I earnestly trust that it may be received in this Country by a period sufficiently early to enable us to communicate it to Parliament at the commencement, or soon after the commencement, of the Session of 1840, and then to proceed at once with such measures as may be required to meet the exigencies of the case.

The intelligence which has reached me from *Upper Canada*, makes it probable that you may be called upon for some explanation of the views of the Ministers of the Crown, on a question, respecting which the Bill, to which I referred is necessarily silent. I allude to the nature and extent of the control, which the popular Branch of the United Legislature will be admitted to exercise, over the conduct of the Executive Government; and the continuance in the public service of its principal Officers. But it is evidently impossible to reduce into the form of a positive enactment, a constitutional principle of this nature. The importance of maintaining the utmost possible harmony, between the policy of the Legislature, and of the Executive Government, admits of no question; and it will, of course, be your anxious endeavour, to call to your Counsels, and to employ in the public service, those persons who, by their position and character, have obtained the general confidence and esteem of the inhabitants of the Province.

The military defence of the *Canadas* is another subject of common interest to both Provinces, on which it is necessary that you should be apprized of the views of Her Majesty's Government. In the correspondence between Lord *Glenelg* and Sir *John Colborne*, and especially in the despatches of the latter, you will find a full discussion of the plans which have been devised for that purpose. Amongst them is a scheme for extended fortifications, to be erected and maintained at an expense, which it is not evident will be compensated by any equivalent advantage.

For the present, at least, notwithstanding the deference so justly due to the opinions of that distinguished Officer, the Ministers of the Crown cannot recommend the adoption of this scheme. On the other hand, the plan suggested from this Country, and sanctioned by Sir *John Colborne*, of creating Military settlements on the Frontier, on the principle of veteran Battalions, appears, to the Ministers of the Crown, as at once the most effective, and the most economical plan of defence, which could be pursued. Measures will be taken, with the least possible delay, for carrying it into effect; and, in the mean time, you will discourage and prevent, as far as may be compatible with the public safety, either the augmentation, or the continuance on foot of the volunteers, of the seditary corps which were embodied during the last winter, as a reinforcement to the regular

army. On all subjects of this nature, however, you will consult Sir *Richard Jackson*, whose judgment and military knowledge will be of the greatest service to you.

The only topic which it remains to notice, as affecting the two *Canadian* Provinces, as alike, is that of raising an emigration fund from the proceeds of the sales of the Crown lands. Unfortunately the very elaborate Report communicated to me by Lord *Durham* on this subject, serves but to confirm, and to place in a still clearer light, the difficulties by which, as we were previously aware, the promotion of this most important object is obstructed. Such is the extent of land alienated, and so inconsiderable the proportion which still remains vested in the Crown, that the hope of rendering any effectual aid to emigration by the sale of such lands, cannot, at present, be reasonably entertained. The necessary preliminary to the introduction of any such system, would be the resumption of the large tracts of land held by grantees in a barren and unprofitable state. This could be effected only by the imposition of a tax on uncleared land, and by enactments for the collection of that Tax, to ensure the due execution of the law. In the Lower Province there exists, at the present time, no authority by which such a tax could be imposed. In the Upper Province, it is hardly to be expected, that in the present state of affairs, the difficulties which encompass the subject will be effectually overcome. Amongst the benefits to be anticipated from the Union of the Provinces, it is not the least important, that the United Legislature would be able to act, upon subjects of this nature, with a great comparative freedom from the undue bias of local interests, and with a large view to the permanent improvement of the Provinces.

Such being the principal subjects of common interest to the two Provinces, to which your attention will be immediately called, I have next to notice those which will relate exclusively to the Province of *Lower Canada*.

The act which has been passed in the last Session of Parliament, in amendment of the act of the first year of Her Majesty's Reign, providing for the temporary administration of the Government of *Lower Canada*, will relieve you and the Special Council from many of the impediments by which your immediate Predecessor has been encountered, in the attempt to promote the internal interests of the Province. Sir *John Colborne's* dispatches, and especially that of the 15th *March*, 1839, have pointed out very clearly many objects of great public utility, which he was unable to advance, in consequence of the restrictions under which the Legislative powers confided to him, and to the Special Council, were exercised. To these your attention will, of course, be given. Much as the suspension of Constitutional Government in *Lower Canada* is to be regretted, it will not be without a very considerable compensation, if, during the interval, arrangements should be maturely and wisely made, for securing to the people at large the benefit of those social institutions, from which, in former times the thoughts of the local Legislature were diverted, by the controversies which then agitated the Provincial society.

The establishment of Municipal Institutions, for the management of all local affairs, will be among the most important of the subjects to which your attention will be called. On this subject, I would refer you to the Report of the Earl of *Durham*, and the Appendix, marked C., by which it is accompanied. Although the Commissioners whom His Lordship appointed to investigate the question, were unable, from the shortness of the time, to submit to him any conclusive recommendations respecting it, the information which they collected, will prove of much advantage to you. On the importance of such Institutions, I need not enlarge: your acquaintance with the system of Municipal Government in this Country, will

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point out to you that there is no mode in which local affairs can be so properly administered, and that they form, at the same time, the most appropriate and effectual means, of training the great body of the people to the higher branches of Legislation.

The promotion of education among all classes of the people, will also engage your earnest attention. On this subject, I can add nothing to the information afforded by the Reports of the Earl of *Gosford*, and his colleagues, and of the Earl of *Durham*. It will afford Her Majesty's Government the most sincere satisfaction, to co-operate with you, in any measures which you may adopt, for the furtherance of this important object.

In any view which can now be taken of the affairs of *British North America*, it is obvious that those of *Upper Canada* must occupy a very prominent place. I am persuaded that the zeal for the public good, and the superiority to considerations of a nature merely personal, by which the present Lieutenant Governor has been distinguished during his long career of public service, will obviate the risk of any dissatisfaction being entertained by him, if you should find it necessary, for a time, to assume, in person, the administration of the Government of *Upper Canada*, and during that period to supersede him in the discharge of his functions. In the prosecution, therefore, of your endeavor to obtain as much agreement as possible, in the plan to be hereafter submitted to the Imperial Parliament, you will not hesitate to repair to *Toronto*. When there, you will, of course, avail yourself of the experience which Sir *George Arthur* has acquired, and of the assistance which he will have both the ability and the disposition to afford you.

The first topic which will engage your attention in *Upper Canada* is the present financial state of the Province. This has been most elaborately explained in the Lieutenant Governor's recent despatches. Embarrassing as the immediate state of the question is, it is yet gratifying to learn from those communications, that the difficulties in which the Provincial Treasury is involved, originate in causes which do not affect the wealth, or the ultimate resources of the Province. Having undertaken great internal improvements, especially those of the *Welland* and *Rideau* Canals, with inadequate resources, the works have been very imperfectly completed, and the Returns are absorbed in a succession of repairs, which would not have been required if the Canals had been originally formed with a greater command of Capital. These works having also been effected by borrowed money, the loans have been raised at a higher rate of interest than would have been required, if the credit of the Province had not been diminished by the absorption of its Revenue in such undertakings. Further, it appears that the Provincial Treasury might have been recruited, with no perceptible addition to the public burthens, if it had been possible to increase, to a moderate extent, the duties of import on goods introduced for consumption. But under the combined influence of these causes, the expenditure has, at length, far exceeded the receipt; and some measure for re-instating the Provincial Treasury in a secure condition, have become indispensable.

Her Majesty's Government willingly acknowledge the great advantage which will arise from extending to *Upper Canada* such aid as the Revenue of *Great Britain* could afford, consistently with a due regard to the interest of this Kingdom, and of the other members of the Empire at large. This is, however, a subject for distinct consideration. For the present, I shall confine my attention to the remedial measures adopted by the local Legislature in their last Session.

Of these, the first was the raising a loan by Government Debentures, which was sanctioned by a Bill intituled "*An Act to afford further facilities to negotiate Debentures for the completion of certain works.*" This

Bill was reserved for the signification of Her Majesty's pleasure, and has been confirmed by the Queen in Council.

The second financial measure of the year, was the enactment of a Bill authorizing the issue of Treasury Notes, to the amount of £250,000 sterling, for £1 each. This Bill has also been reserved for the signification of Her Majesty's pleasure. I regret to state, that Her Majesty cannot be advised to confirm it. The issue of such an amount of small inconvertible paper money, as a resource for sustaining the Public Credit, is not to be justified, even by the present exigency of Public affairs. The effect of the measure on the currency and monetary transactions of *Upper Canada*, and on the value of private property throughout the Province, must be such, as to counterbalance any advantage which could be obtained from this temporary relief. If the credit of the country can be made available to sustain, for a time, the transactions of the local Treasury, in a less hazardous and objectionable form, you will accede to any plan of that nature. It is only as a temporary expedient that any such recourse will be requisite; and it is of great importance to the future welfare, of the Province, that the scheme devised to meet the pressure of the passing day, should not be such as to preclude the early return to a more salutary course of financial operations.

A third measure, of the same general character, has been adopted by the local Legislature, to provide for the indemnity of the sufferers by hostile incursions from the *United States*. The Bill for this purpose, intituled "*An Act to ascertain and provide for the payment of all just claims arising from the late Rebellion and Invasions of this Province,*" has also been reserved for the signification of Her Majesty's pleasure. I fear that Her Majesty's Assent to this Bill, in its present form, cannot be given. The objection is not to the measure itself, in the propriety of which Her Majesty's Government entirely concur. But we think it impossible to advise the Queen to assent to an Act, which, if so sanctioned, would, by the terms of the preamble, convey a pledge from Her Majesty, that the charge of this indemnity, should be ultimately borne by the *British Treasury*. The principle involved in this declaration is of too much importance to be thus incidentally recognized, even supposing it to be right that it should be admitted at all. Neither could Her Majesty properly affirm, in so solemn a manner, Her acquiescence in this claim on the Revenue of this country, unless it had been previously sanctioned by Parliament—a sanction which has not been, and which could not hitherto have been obtained, if a similar Bill should be passed, with the omission of the preamble, you will readily concur in the enactment of it.

The Legislature of *Upper Canada* has also passed a Bill which has, in like manner, been reserved, for settling a civil list on Her Majesty, in exchange for the Crown Revenues of the Province. It is with sincere regret that I am compelled to announce, that this is also a measure from which, in its present form, the assent of the Crown must be withheld.—The effect of it is to exclude from the protection of the grant, the Clergy who at present derive their maintenance from the Crown Revenue, and of whom the great majority resorted to *Upper Canada* on the assurance that their stipends would be thus secured to them. Now as this charge has been lawfully fixed upon the Crown Revenue, and as the Crown has no other resource from which it could be paid, it is impossible to accept the proposed civil list on such terms. Anxious as Her Majesty's Government are to defer to the Representatives of the People of *Upper Canada*, in all matters connected with the internal Government of that Province, they cannot consent to a measure which would practically involve a violation of the pledged faith of the Crown. We cannot decline the obligation of maintaining the rights of the Clergy in question; and I can only express

Despatch conveying to His Excellency Her Majesty's Instructions on his assumption of the Government of Br. N. America.

De-patch conveying to His Excellency Her Majesty's Instructions on his assumption of the Government of B. N. America.

my hope that the local Legislature may concur with the Ministers of the Crown as to the propriety of re-enacting this Bill, with the addition of the charge necessary for the maintenance of those rights. The burthen will cease with the lives of the present incumbents, and is now in the course of a progressive diminution.

The last of the reserved Bills of the late Session, has reference to the long controverted subject of the Clergy Reserves. To this Bill the Royal assent could not have lawfully been given, until it had been laid for *thirty* days before either House of Parliament. It was not until the 15th *August* that I received from the Lieutenant Governor the document necessary to enable me to fulfil the requisition of the Constitutional Act of 1791. It was therefore impossible that the Bill should be finally enacted by the Queen in Council, until after the commencement of the Parliamentary Session of 1840. But had this difficulty not arisen, there were other motives which would have effectually prevented the acceptance of this measure by Her Majesty. Parliament delegated to the local Legislature the right of appropriating the Clergy Reserves, and the effect of the Bill is to re-transfer this duty from the local Legislature to Parliament with a particular restriction. I am advised by the Law Officers of the Crown that this is an unconstitutional proceeding. It is certainly unusual and inconvenient. Her Majesty cannot assume that Parliament will accept this delegated office, and if it should not be so accepted, the confirmation of the Bill would be productive of serious prejudice, and of no substantial advantage. It would postpone indefinitely the settlement of a question, which it much concerns the welfare of the Provinces to bring to a close. Besides, I cannot admit that there exists, in this Country, greater facilities than in *Upper Canada* for the adjustment of this controversey. On the contrary, the Provincial Legislature will bring to the decision of it, an extent of accurate information as to the wants and general opinions of society in that Country, in which Parliament is unavoidably deficient. For all these reasons, Her Majesty will decline to give Her assent to this Bill.

I have thus adverted to the principal topics which will engage your attention, as Governor General of *British North America*, in reference to the two *Canadas*; omitting many minor questions which will form the subject of future correspondence, and passing by, for the present, all that relates to the affairs of *New Brunswick*, *Novu Scotia* and *Prince Edward Island*—I reserve these for consideration hereafter.

Finally, I am commended to direct, that in all the Provinces of *British North America*, you will inculcate upon the minds of the Queen's subjects, Her Majesty's fixed determination to maintain the connexion now subsisting between them and the United Kingdom; and to exercise the high authority with which she has been invested by the favour of Divine Providence, for the promotion of their happiness, and the security of Her Dominions.

I have, &c.

(Signed)

J. RUSSELL.

SYDENHAM,

Message from His Excellency on Public Improvements.

In pursuance of the declaration contained in his Speech from the Throne, the Governor General solicits the attention of the House of Assembly to the Public Improvements which it may be desirable to carry into effect within the Province, and to the means by which those works may be safely and successfully undertaken.

It has appeared to the Governor General of great importance that Parliament as well as the Executive should have distinctly brought before them, in one general plan, the whole of the different works which are de-

manded by the public voice, and appear likely to tend to the increase of trade and to the advantage of the Country. Such works as the Legislature shall decide upon adopting, may thus be conducted upon one uniform system, having reference as well to each particular work as to the whole, and great advantage will result both as regards their execution, and in making provision for the funds necessary for the undertaking.

The Governor General accordingly directed a Report to be prepared upon the subject by the President of the Board of Works, and that Department having now been established by Law for the whole Province, he transmits this document for the consideration of the House of Assembly.

This Report will be found to embrace all the great improvements which appear at all desirable for some time to come, or that afford promise of rendering a return for the Capital to be expended upon them. The completion of the Welland Canal—the opening the communication between *Kingston* and *Montreal* by the *St. Lawrence* for Schooners and Steamboats—the improvement of Lake *St. Peter*, and the navigation between *Quebec* and *Montreal* for Vessels of large burthen—opening the River *Richelieu* so as to perfect the navigation through that River by the *Chambly* Canal—the construction of Slides for Timber, and other works on the *Ottawa*—the improvement of the Inland waters of the *Newcastle* District—the construction of a Port and Light Houses in Lake *Erie*, and the improvement of *Burlington* Bay Harbour—the establishment or improvement of great lines of Road from *Quebec* to *Amherstburgh* and *Port Sarnia*, from *Toronto* to Lake *Huron*, and between *Quebec* and the *Eastern Townships*—and the improvement of the *Metis* Road, and of the communications near the Bay of *Chaleurs*.

The total cost of all these works thus enumerated, would involve an expenditure of about £1,470,000 Provincial Sterling, to be spread over a period of five years necessary for their completion.

Whether the whole or any part of these works shall be decided on by Parliament, it is clear, that in the present financial state of the Province, whatever is required for their construction must be provided by drawing on the Public credit.

The Statement of the Provincial Receipts and Expenditure submitted to Parliament, although exhibiting, after the payment of the charges for the Public Service, a considerable surplus in proportion to the Revenue, affords nothing from which, as Capital, the costs of works of any importance can be defrayed.

Parliament must therefore provide the means for raising the Capital required for the execution of these Public Works, which it may determine to adopt, and at the same time afford such security as may be necessary for the annual interest upon the money to be borrowed, as well as for the gradual extinction of the debt, until the works themselves become productive.

If the whole of the works specified in the Report are determined upon, the charge for interest upon the total sum required, calculated at the rate of interest usual in this Province, would be between £80,000 and £90,000, a charge which it would be difficult to impose at once upon the Country.

Means however exist, by which such an increase of the charge upon the Revenue of the Province may be materially reduced, whilst the Capital itself may notwithstanding be provided.

The reduction of the Interest of the Public Debt, through the assistance to be afforded by the Imperial Parliament, would probably reduce the present charges upon the Provincial Revenue by a sum of between £15,000 and £20,000 per annum, which will thus become available as security for any fresh Loan.

Message from His Excellency on Public Improvements.

Message from His Excellency on Public Improvements.

There will remain, after effecting this conversion, a surplus of from £250,000 to £300,000 still further to be raised under the Imperial guarantee at a low rate of interest, by which an additional saving will be effected of about £6,000 a-year.

A very considerable amount of the Capital required might be raised, without any charge whatever for interest, by the assumption by the Province of the issue of Paper payable on demand, which is now enjoyed by private Banks or by individuals, without their being subjected to any charge whatever in return for the power thus accorded to them by the State. If that power were resumed to the fullest extent, a Capital representing a Revenue of not less than £35,000 a-year might be provided. But even under such an arrangement as would afford great advantages to the various Banks at present issuing paper, as a compensation for their being in future deprived of that power, a Revenue of not less than £15,000 or £20,000 might be safely relied on.

The Union of the two Provinces has now placed within the control of the Parliament, the regulation of the Customs Duties which under the separate Legislatures was attended with so much difficulty, and a wise and prudent re-adjustment of some of these Duties will render the Revenue far more productive than at present, and easily furnish, without any injury to the trade of the Country or any pressure on the people, what may be further required to provide for the remaining charge.

There is also one of the works to which, although great importance is justly attached to it, it will, in the opinion of the Governor General, be just, as well as possible, to affix a condition by which the annual charge above submitted for the whole may be diminished. The navigation of the *St. Lawrence* involves the expenditure of nearly one half of the whole sum calculated on. That work is undoubtedly highly desirable, but it scarcely justifies so great an expenditure at present, unless some diminution of the annual charge for interest upon the sum to be raised can be obtained. Nor is such a diminution to be unhopd for. Many Capitalists in England are interested in the promotion of this work, and especially in seeing the communication between Lake *St. Louis* and Lake *St. Francis* established on the *Southern* side of the River *St. Lawrence*. The Governor General has reason to expect, that assistance will be afforded upon this condition, and he would not therefore recommend that this undertaking should be sanctioned, unless, as a condition, the greater part of the Capital required for it can be raised at a low rate of interest, not much exceeding that which the Province would have to support for such part of its debt as will be guaranteed by *England*.

Entertaining these opinions, the Governor General has therefore directed measures to be submitted to the House of Assembly embodying them, which he recommends to their favorable consideration.

However large the expenditure may appear, to which the improvements recommended by the Board of Works will amount, the Governor General feels that it is his duty, looking to their vast importance, to submit them to the judgment of the Country, and a measure will therefore be presented to the House which comprises the whole of them.

If they are undertaken, it is no less the bounden duty of Parliament and of the Executive Government to take care that means sufficient for their completion are provided, and that the credit of the Province shall be sustained in any engagements which are rendered necessary for raising funds for that purpose. He has therefore directed that simultaneously with the proposal for the works themselves, measures should be submitted to the Assembly, for the conversion of the Debt, for the establishment of a Bank, and for the regulation of the Customs; and he desires to express his anxious wish to concur with the Assembly in whatever decision they may

arrive at, by which objects of such importance to the welfare of the Province may be obtained, consistently with that due regard to the interests of the people, to Public credit, and to the maintenance of engagements, without which it would be alike unjust and impolitic to attempt to carry them into execution.

Kingston, 20th August, 1841.

For the documents accompanying the message relative to public improvements, See Appendix, (C. C.)

The Honourable Mr. *Harrison* moved, seconded by Mr. Solicitor General *Day*,

That five hundred copies of the message relative to public improvements, together with the accompanying document, be printed in the *English* language, and five hundred copies in the *French* language, for the use of the Members of this House.

Motion to print 500 copies of Message on Public Improvements in French & English.

Mr. *Holmes*, moved in amendment, seconded by Mr. *Neilson*,

That the words "five hundred" be struck out of the said motion, and the words "one thousand" substituted in lieu thereof.

"1000 copies" substituted for 500.

The question having been put upon the motion of amendment, a division ensued, and it was carried in the Affirmative.

Question carried.

The question being then put on the main motion, as amended, it was also agreed to by the House, and—

Ordered—Accordingly.

Resolved—That this House will, on *Tuesday* next, resolve itself into a Committee of the whole House, to take into consideration the message of His Excellency the Governor General, relative to public improvements, together with the documents accompanying the same.

Message on Public Improvements referred to Committee of whole on Tuesday.

A message from the Legislative Council, by *John Godfrey Spragge*, Esquire, Master in Chancery.

Message from Legislative Council.

MR. SPEAKER,

The Legislative Council have passed the Bill entitled "*An Act to repeal the laws now in force in that part of this Province formerly Upper Canada, for the recovery of small debts, and to make other provision therefor*," without any amendment.

Bill for recovery of Small Debts passed Legislative Council.

And also,

LEGISLATIVE COUNCIL, WEDNESDAY, 18th AUGUST, 1841.

Ordered—That the Speaker of this House do wait upon His Excellency the Governor General, with the Honourable the Speaker of the Legislative Assembly, to know when His Excellency would be pleased to receive the joint address of both Houses, with the Petitions to Her Majesty and the two Houses of the Imperial Parliament, on the subject of the Timber duties, and to present the same.

Speakers to wait on His Excellency respecting joint address on Timber duties.

Ordered—That the preceding Resolution be communicated to the Legislative Assembly, by the Master in Chancery, and that he be directed to request that that part of the same which relates to their Speaker may be concurred in.

And then he withdrew.

On motion of Mr. *Neilson*, seconded by Mr. Attorney General *Draper*,

Resolved—That this House doth concur in the message of the Legislative Council, relating to the Speaker of this House, waiting on His Excellency the Governor General, to know when His Excellency will be

The above message concurred in.

pleased to receive the joint address of both Houses, with the Petitions to Her Majesty and the two Houses of the Imperial Parliament, on the subject of the Timber duties.

Resolved—That the said Resolution be communicated, by message, to the Legislative Council.

Ordered—That Mr. Neilson, do carry the said message to the Legislative Council.

Committee on Petition of Dame E. Gamelin, and of Montreal Rom. Cath. Orphan Asylum, report two Bills, which were read 1st time

The Honourable Mr. Viger, from the select Committee to which was referred the Petition of Dame *Emilie Gamelin*, and others, of *Montreal*,—and the Petition of the Ladies of the *Roman Catholic* Orphan Asylum of *Montreal*,—with power to report by Bill or otherwise,—presented to the House a Bill to incorporate the *Montreal* Asylum for aged and infirm women, and a Bill to incorporate the Ladies of the *Roman Catholic* Orphan Asylum of *Montreal*,—which were severally received, and read for the first time.

Ordered—That the Bill to incorporate the *Montreal* Asylum for aged and infirm women, be read a second time on *Monday* next.

Ordered—That the Bill to incorporate the Ladies of the *Roman Catholic* Orphan Asylum of *Montreal*, be read a second time on *Monday* next.

Committee on Resolution on Incorporation of Quebec, report bill

Mr. Neilson, from the Special Committee to which was referred the Resolution of this House of the 26th *July* last, on the subject of the Ordinances of the Governor and Special Council of the late Province of *Lower Canada*, relating to the incorporation of the City of *Quebec*; with power to report by Bill or otherwise, presented to the House a Bill to amend certain Ordinances therein mentioned, relative to the incorporation of the City of *Quebec*; which was received and read for the first time.

Ordered—That the said Bill be read a second time on *Wednesday* next.

Committee on Bill to regulate practice of Medicine, report Bill with amendments.

Mr. McCulloch, from the select Committee to which was referred the Bill to regulate the practice of Medicine, Surgery, and Midwifery, within this Province, reported that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table.

Ordered—That the said Bill and report, be referred to a Committee of the whole House, on *Monday* next.

Bill referred to a Committee of whole on Monday.

Addition to Committee on petition of S. McKenzie and others.

Ordered—That Messieurs *Buchanan*, *Hopkins* and *Thorburn*, be added to the Special Committee, to which was referred the Petition of *Simon McKenzie*, *Thomas Chapman*, and others, of the District of *Gore*.

Mr. Small moves that Mr. Quesnel be substituted for himself on Committee on Petition of P. Leppara.

Mr. Small moved, seconded by Mr. *Harmanus Smith*, that his name be expunged from the Special Committee to which was referred the Petition of *Peter Leppard*, of *East Gwillimbury*, *Home* District, and other references, and that Mr. *Quesnel* be added to the said Committee.

Amendment moved.

Mr. *Johnston* moved in amendment, seconded by Mr. *Turcotte*, that Messieurs *Aylwin*, and *Armstrong* be added to the said Committee.

Amendment lost.

The question having been put upon the motion of amendment, a division ensued, and it passed in the negative.

Original motion lost.

The question being then put upon the main motion, a division ensued, and it also passed in the Negative.

Report of Commissioners on late Bank at Kingston referred to select Committee

On motion of Mr. *Parke*, seconded by the Honourable Mr. *Harrison*.
Resolved—That the report of the Commissioners appointed by the Provincial statute of the 10th. GEO. the Fourth, intituled “*An Act for settling the affairs of the late Bank at Kingston*”, be referred to a select

Committee, composed of Mr. *Baldwin*, Mr. *Hopkins*, Mr. *Price*, and Mr. *Small*, to report thereon with all convenient speed, by Bill or otherwise; with power to send for persons, papers, and records.

Ordered—That Mr. *Delisle* have leave to absent himself from this House, until the 15th of *September* next, on urgent business.

Leave of absence to Mr. *Delisle*.

A Bill to incorporate certain persons, therein mentioned, for the purpose of making a Macadamized Road from *Dundas* Street to the *River Humber*, in the Township of *Etobicoke*, was, according to order read a second time.

Dundas St. and *Humber* Road Bill read 2nd time.

Ordered—That the said Bill be referred to a Committee of the whole House on *Friday* next, and that it be then the first order of the day.

A Bill for the relief of Purchasers at certain Sheriff's sales, made after such Sheriffs had been out of office, was, according to order, read a second time.

Bill to relieve purchasers at Sheriff's sales read 2nd time.

Ordered—That the said Bill be referred to a Committee of the whole House on *Friday* next.

A Bill to provide for the publication of Law Reports in that part of the Province called *Lower Canada*, was, according to order, read a second time.

Bill for publication of Law Reports in *Canada* East read 2nd time.

On motion of Mr. *Aylwin*, seconded by Mr. *Prince*.

Resolved—That the said Bill be referred to a Select Committee, composed of the Honourable Mr. *Viger*, Mr. *Quesnel*, Mr. Solicitor General *Day*, Mr. *Black*, Mr. *Morin*, and Mr. *Parent*, to report thereon with all convenient speed; with power to send for persons, papers, and records.

Bill referred to select Committee.

A Bill to repeal a certain Act, therein mentioned, and to exempt the Members of Companies of Firemen, lawfully established from serving as jurors, and in the Militia, except in certain cases, was, according to order, read a second time.

Bill to exempt Firemen from certain duties read 2nd time.

Ordered—That the said Bill be referred to a Committee of the whole House on *Monday* next.

A Bill to abolish imprisonment for debt in *Canada West*, except in certain cases, was, according to order, read a second time.

Bill to abolish Imprisonment for Debt in *Canada West* read 2nd time

Ordered—That the said Bill be referred to a Committee of the whole House on *Wednesday* next.

On motion of Mr. *Baldwin*, seconded by the Honourable Mr. *Viger*,

Ordered—That the Committee appointed to try the merits of the Petition of divers electors of the 2nd riding of the County of *York*, and of *Connell James Baldwin*, Esquire, complaining of the undue election and Return of *George Duggan*, Esquire, the sitting Member for the said second Riding of the County of *York*, have leave to adjourn until *Thursday*, the 26th instant.

Leave to Committee on Election for 2nd Riding *York* to adjourn to 26th instant.

A Bill to regulate the inspection of Beef and Pork, was according to order, read a second time.

Beef and Pork Inspection Bill read 2nd time.

Ordered—That the said Bill be referred to a Committee of the whole House on *Friday* next.

The Order of the day for the House in Committee on the Bill, the better to provide for the freedom of Elections throughout this Province, and for other purposes therein mentioned; and the Bill to provide for the enregistration of persons, entitled to vote at elections of Members of the Legislative Assembly of this Province, and to make better provision for the holding of such Elections, being read.

House in Committee on Election Bill, and on Registration Bill.

The House accordingly resolved itself into the said Committee.

Mr. *Gilchrist* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Progress reported, to sit again on Monday.

And Mr. *Gilchrist* reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered—That the said Committee have leave to sit again on *Monday* next, and that it be then the first order of the day.

Order for House in Committee on Timber Inspection Bill postponed till Tuesday.

On motion of Mr. *Cameron*, seconded by Mr. Solicitor General *Day*, *Ordered*—That the Order of the day, for the House in Committee on the Bill to regulate the inspection and measurement of Timber, Masts, Spars, Deals, Staves, and other articles of a like nature, in the Ports of *Quebec* and *Montreal*, and for other purposes relative to the same, be postponed until *Tuesday* next.

The names of the Members present were taken down as followeth :

No quorum

Mr. Speaker,

Mr. *Armstrong*, Mr. *Baldwin*, Mr. *Boswell*, Mr. *Boutillier*, Mr. *Cameron*, Mr. Solicitor General *Day*, Mr. *Dunlop*, Mr. *Gilchrist*, Mr. *Holmes*, Mr. *Morris*, Mr. *Pocell*, Mr. *Raymond*, Mr. *Simpson*, Mr. *Turcotte*, and the Honourable Mr. *Viger*.

And at 12th. o'clock at night, Mr. Speaker adjourned the House, for want of a Quorum, until *Monday* next.

Lunæ. 23^o die Augusti ;

Anno 5^o *Victoriæ Reginæ, 1841.*

Speaker reports delivery of joint Address on Timber Duties.

Mr. Speaker reported to the House, that the Honourable the Speaker of the Legislative Council, and himself had waited upon His Excellency the Governor General, with the joint Address of both Houses to His Excellency, humbly requesting he will be pleased to transmit the joint Petitions on the subject of the Timber duties, to Her Majesty's Secretary of State for the Colonial Department, praying that the Petition to Her Majesty may be laid at the foot of the Throne, and that the several Petitions to the Right Honourable the House of Lords, and the Honourable the House of Commons, may be submitted to them respectively ; and that His Excellency had been pleased to give the following answer :

Honourable Gentlemen
and Gentlemen.

His Excellency's answer.

I will take the earliest opportunity of transmitting to the principal Secretary of state, the joint Petition to the Queen, agreed to by both Houses, on the subject of the Timber duties, in order that it may be laid before Her Majesty ; and also the Petitions to the two Houses of the Imperial Parliament, with a view to their being presented to each respectively.

Petitions brought up

The following Petitions were severally brought up, and laid on the Table.

M. McGillivray and others.

By Mr. *J. S. Macdonald*—The Petition of *Malcolm McGillivray*, and others, Trustees of the *Presbyterian* Congregation of *Lochiel*, in the *Eastern* District.

By Mr. *Dunscomb*—The Petition of *John MacDonald*, and others, Censitaires of the Seignory of *Beauharnois*:—and the Petition of *Levis Lyman*, Commissioner of the *North American Colonial Association of Ireland*, and others, Inhabitants of the County of *Beauharnois*.

J. Macdonald and others.

L. Lyman and others.

By Mr. *Burnet*—The Petition of the Rev. *John Maning*, and others, Members of the Church of *England*, in the Seignory of *St. Giles*; the Petition of the Reverend *Richard Anderson*, and others, Members of the Church of *England*, of *New Ireland* and other places, County of *Megantic*; and the Petition of *William Walker*, and others, Merchants of the City of *Quebec*.

Rev. J. Maning and others.

Rev. R. Anderson and others.

W. Walker and others.

By Mr. *Neilson*—The Petition of the Right Reverend the *Roman Catholic* Bishop of *Quebec*, and of the Right Reverend the Bishop of *Sidymé*, his Coadjutor.

R. C. Bishop of Quebec and another.

By Mr. *Hincks*—The Petition of *John Arnold*, and others, inhabitants of the County of *Oxford*.

J. Arnold and others.

By the Honourable Mr. *Dunn*—The Petition of *J. S. Baldwin*, and others, Citizens of *Toronto*.

J. S. Baldwin and others.

Pursuant to the Order of the day, the following Petitions were read : *Petitions read.*

Of *Jacob Snider*, and others, praying compensation for the loss sustained by the survey, made under authority of a certain Act of the Parliament of the late Province of *Upper Canada*.

Of Jacob Snider and others.

Of *Richard E. Vidal*, and others, inhabitants of the Township of *Sarnia*, praying that one *George Durand*, have leave to cut a Canal, from the River *Aux Perches* to the River *St. Clair*.

Of R. E. Vidal and others.

Of the Reverend *P. M. Mignault*, *Augustus Hatt*, and others, inhabitants of *Chambly*, praying that improvements may be made in the navigation of the River *Richilieu*.

Of Rev. P. M. Mignault and others.

Of *James May*, and others, inhabitants of the *Talbot* District, praying for a grant of £100, for a certain road in said District.

Of J. May, and others.

Of *Robert Defries*, and others, Messengers and Servants of the late House of Assembly of *Upper Canada*, praying to be paid the sum of £20 each, as their last year's salary.

Of R. Defries and others.

Of *Andrew Ritchie*, and others, of the District of *Wellington*, praying that no further increase of assessment may be levied on said District, than what is now allowed by law.

Of A. Ritchie and others.

On motion of Mr. *Dunlop*, seconded by Mr. *Powell*.

Resolved—That the Petition of *Robert F. Gourlay*, of *Kingston*, presented to the House on the 28th of *July* last, be referred to a Select Committee composed of the Honourable Mr. *Viger*, Mr. *Neilson*, Mr. *Price*, and Captain *Steele*, to examine the contents thereof, and to report thereon with all convenient speed, by Bill or otherwise; with power to send for persons, papers, and records.

Petition of R. F. Gourlay referred to Select Committee.

Mr. *Christie*, from the Select Committee to which was referred the Bill, to make more ample provision than heretofore for the due administration of Justice in the Territorial Division of *Gaspé*, reported that the Committee had gone through the Bill, and made several amendments thereto, which amendments were again read at the Clerk's Table.

Select Committee on Gaspé Judicature Bill report Bill as amended.

Ordered—That the said Bill and report be referred to a Committee of the whole House, to-morrow.

Bill referred to Com. of whole to-morrow.

Ordered—That Mr. *Boutillier*, have leave to absent himself from this House, from the 25th instant until the 1st. of *October* next.

Leave of absence to Mr. Boutillier.

On motion of Sir *Allan MacNab*, seconded by Mr. *Merritt*.

Resolved—That a Select Committee of three members composed of Mr. *Cartwright*, Mr. *Thorburn*, and Mr. *Neilson*, be appointed to search

Committee appointed to search Journals of Legislative Council on

bill to prevent failure of Justice at the late Elections.

the Journals of the Honourable the Legislative Council, as to what proceedings are therein, with relation to the Bill sent up from this House to that Honourable body, entitled "*An Act for preventing any failure of Justice, in respect of complaints of undue elections or returns of members of the Legislative Assembly of this Province,*" and to make report thereof to this House.

Bill to grant certain privileges to Haldimand and Simcoe brought in.

Ordered—That Mr. *Thompson* have leave to bring in a Bill to extend to the Counties of *Haldimand* and *Simcoe*, respectively, certain privileges which they could not otherwise enjoy until they should be finally constituted Districts.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time.

Ordered—That the said Bill be read a second time on *Friday* next.

Order of day for House in Committee on addressing His Excellency for a revision of the Statutes, revived, and ordered for to-morrow.

On motion of Mr. Solicitor General *Day*, seconded by Mr. *Black*.

Ordered—That the Order of the day for the House in Committee, to take into consideration the expediency of presenting an humble address to His Excellency the Governor General, praying His Excellency to appoint a Commission for the purpose of revising the statutes and ordinances of that part of this Province formerly called *Lower Canada*, lost by the adjournment of *Tuesday*, the 30th of *July* last, be revived; and that this House will, on to-morrow, resolve itself into the said Committee.

Order for 2nd reading Bill to amend Act respecting Election of Grand River Navigation Directors postponed till to-morrow.

On motion of Mr. Attorney General *Draper*, seconded by Mr. Solicitor General *Day*,

Ordered—That the Order of the day, for the second reading of the Bill to amend the Laws regulating the Election of Directors of the *Grand River Navigation Company*, be postponed until to-morrow.

Motion to refer Timber Inspection Bill to Select Committee.

Mr. *Black* moved, seconded by Mr. *Dunscob*,

That the Order of the day, for the House in Committee on the Bill to regulate the inspection and measurement of timber, masts, spars, deals, staves, and other articles of a like nature, in the Ports of *Quebec* and *Montreal*, and for other purposes relative to the same, be discharged; and that the said Bill be again referred to a Committee of five members, to report thereon with all convenient speed, with power to send for persons, papers and records; and that it be an instruction to the said Committee to render the said Bill conformable to the Resolution relative to the Inspection Laws, adopted by this House on the 5th instant.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:

YEAS.

<i>Baldwin.</i>	<i>Dunn, Hon. J. H.</i>	<i>Merritt,</i>	<i>Taché,</i>
<i>Black.</i>	<i>Dunscob,</i>	<i>Moffatt, Hon. G.</i>	<i>Thompson,</i>
<i>Borne,</i>	<i>Hale,</i>	<i>Neilson,</i>	<i>Watts,</i>
<i>Boutillier,</i>	<i>Hincks,</i>	<i>Parke,</i>	<i>Woods,</i>
<i>Burnet,</i>	<i>McNab, Sir A. N.</i>	<i>Robertson,</i>	<i>Yule.—22.</i>
<i>Cartwright,</i>	<i>McCulloch,</i>		

NOES.

<i>Armstrong,</i>	<i>Day, Hon. C. R.</i>	<i>Johnston,</i>	<i>Raymond,</i>
<i>Boswell,</i>	<i>Dunlop,</i>	<i>McDonald (Pres.)</i>	<i>Smith, (Fron.)</i>
<i>Cameron,</i>	<i>Foster,</i>	<i>McLean,</i>	<i>Steele,</i>
<i>Chesley,</i>	<i>Gilchrist,</i>	<i>Moore,</i>	<i>Thorburn,</i>
<i>Child,</i>	<i>Holmes,</i>	<i>Powell,</i>	<i>Viger, Hon. D.B.</i>
<i>Christie,</i>	<i>Hopkins,</i>	<i>Prince,</i>	<i>Williams.—24.</i>

Motion lost.

So it passed in the Negative.

On motion of Mr. *Prince*, seconded by Mr. *Merritt*,

Ordered—That the Order of the day, for the House in Committee to consider the expediency of imposing a duty on agricultural and other products, and also on live stock, imported into this Province from the *United States of America*, be postponed until *Friday* next.

Order for House in Committee on taxing imported products, postponed till *Friday*.

On motion of Mr. *Neilson*, seconded by Mr. *Thorburn*,

Ordered—That the Order of the day, for the House in Committee to consider the expediency of addressing His Excellency the Governor General, to grant a free pardon for all offences committed during the late political disturbances in *Upper and Lower Canada*, be postponed until *Friday* next.

Committee of whole on address to His Excellency for free pardon till *Friday* next.

On motion of Mr. *Merritt*, seconded by Mr. *Henry Smith*,

Ordered—That the Order of the day, for the second reading of the Bill to Incorporate sundry persons under the style and title of “The President, Directors and Company of the Bank of the *Niagara District*,” lost by the adjournment of the House of *Wednesday*, the 7th of *July* last, be revived, and that the said Bill be read a second time on *Monday* next.

Order of day for 2nd reading *Niagara Bank Bill* postponed till *Monday* next.

On motion of the Honourable Mr. *Day*, seconded by Mr. *Dunscumb*,

Resolved—That this House will, on *Tuesday* next, resolve itself into a Committee of the whole House, to take into consideration the expediency of making provision for the payment of all just claims, arising in that part of the Province formerly called *Lower Canada*, out of the late Rebellion and Invasion in that part of this Province.

House to go into Com. of whole on *Tuesday* next, on claims of *Lower Canada*.

The Order of the day, for the second reading of the Bill to erect the County of *Haldimand* into a separate District, by the name of “The District of *Manchester*,” being read,

Order of day for 2nd reading *Haldimand District Bill*, postponed till *Monday* next.

Ordered—That the said Order of the day be postponed until *Monday* next.

A Bill to enable persons authorized to practise the Law, or to act as Surveyors, in *Upper Canada* or *Lower Canada*, to practise or act in the Province of *Canada*, was, according to order, read a second time.

Lawyers relief Bill read 2nd time.

Ordered—That the said Bill be referred to a Committee of the whole House on *Wednesday* next.

To be committed on *Wednesday* next.

Ordered—That it be an instruction to the said Committee to amend the Bill, by striking out so much thereof as refers to the practice of the Law.

Instructions to amend the Bill.

A Bill to exempt certain mercantile transactions from the operation of the Laws, for the prevention of usury, was, according to Order, read a second time.

Usury exemption bill read 2nd time, and to be committed on *Friday* next.

Ordered—That the said Bill be referred to a Committee of the whole House on *Friday* next.

A Bill to facilitate a legal remedy to persons having claims against Her Majesty's Provincial Government, was, according to Order, read a second time.

Claims against Government, bill read 2nd time and to be referred to Com. of whole on *Friday* next.

Ordered—That the said Bill be referred to a Committee of the whole House on *Friday* next.

A Bill to regulate the Inspection of Flour and Meal, was, according to Order, read a second time.

Flour inspection bill read 2nd time and to be committed on *Friday* next.

Ordered—That the said Bill be referred to a Committee of the whole House on *Friday* next.

The Order of the day for the second reading of the Bill, to incorporate the Ladies of the Roman Catholic Orphan Asylum of *Montreal*, being read,

Ordered—That the said Order of the day be postponed until *Wednesday* next.

Order of day for 2nd reading *Montreal R. C. Orphan Asylum bill*, postponed till *Wednesday* next.

Do. for aged and infirm women, do

The Order of the day for the second reading of the Bill to incorporate the *Montreal Asylum for Aged and Infirm Women*, being read,
Ordered—That the said Order of the day be postponed until *Wednesday* next.

Candidates qualifying bill read 2nd time, and to be committed on Friday next.

A Bill to compel all candidates at any future Elections, for Members of the Legislative Assembly, to make and subscribe detailed declarations of the property by them possessed, and under which they qualify, was, according to Order, read a second time.

Ordered—That the said Bill be referred to a Committee of the whole House on *Friday* next.

A Message from the Legislative Council, by *John Godfrey Spragge* Esquire, Master in Chancery.

MR. SPEAKER,

Bills from Legislative Council amended.

The Legislative Council have passed the following Bills, with several amendments, to which they desire the concurrence of the Assembly :—

Canada Fire Assurance bill.
Naturalization bill.

“ *An Act for Incorporating ‘ The Canada Fire Assurance Company.’*”
“ *An Act to secure to and confer upon certain Inhabitants of this Province, the Civil and Political Rights of Natural Born British Subjects.*”

And then he withdrew.

Order of day for Com of whole on Election bills postponed till tomorrow.

The Order of the day for the House in Committee on the Bill, the better to provide for the freedom of Elections throughout this Province, and for other purposes therein mentioned—and the Bill to provide for the enregistration of persons entitled to vote at elections, of members of the Legislative Assembly of this Province, and to make better provision for the holding of such elections, being read,

Ordered—That the said Order of the day be postponed until tomorrow.

Emigration bill to be printed.

Ordered—That the Bill, to provide for the enregistration of persons entitled to vote at elections of members of the Legislative Assembly of this Province, and to make better provision for the holding of such elections, be printed for the use of the members of this House.

House goes into Com. of whole on 2nd resolution on Speaker's salary.

The Order of the day, for taking into consideration the second Resolution, reported from the Committee of the whole House, on the propriety of providing for the payment of an annual salary to the Honourable the Speaker of this House, being read,

The House proceeded accordingly to take the said Resolution into consideration.

And the said Resolution was again read as followeth :—

2nd Resolution.

“ 2. *Resolved*—That it is the opinion of this Committee, that the sum “ of one thousand pounds be granted annually to Her Majesty to pay the “ like sum to the Honourable the Speaker of this House.”

Motion for concurrence.

Mr. *Small* moved, seconded by Mr. *Prince*,
That the House doth concur with the Committee in the said Resolution.

Motion in amendment.

Mr. *Thorburn*, moved in amendment, seconded by Mr. *Aylwin*,
That the words “ one thousand ” be struck out of the said Resolution, and the words “ five hundred ” substituted in lieu thereof.

The House divided on the motion of amendment. and the names being called for they were taken down as followeth :—

YEAS.

Aylwin,
Boswell,
Duggan,
Durand,
Hucks,

Hopkins,
Merritt,
Moffatt, Hon. G.
Morris,
Powell,

Roblin,
Smith, (Went.)
Sherwood,
Steele,

Thompson,
Thorburn,
Watts,
Williams.—18.

NOES.

<i>Armstrong,</i>	<i>Daly, Hon. D.,</i>	<i>Killaly, Hon. H. H.</i>	<i>Quesnel,</i>
<i>Baldwin,</i>	<i>Dunn, Hon. J.H.</i>	<i>McNab, Sir A. N.</i>	<i>Raymond,</i>
<i>Barthe,</i>	<i>Dunscomb,</i>	<i>McCulloch,</i>	<i>Robertson,</i>
<i>Berthelot,</i>	<i>Dunlop,</i>	<i>McDonald, (Pres.)</i>	<i>Ruel,</i>
<i>Black,</i>	<i>Foster,</i>	<i>McLean,</i>	<i>Small,</i>
<i>Borne,</i>	<i>Gilchrist,</i>	<i>Morin,</i>	<i>Taché,</i>
<i>Boutillier,</i>	<i>Hale,</i>	<i>Ogden, Hon. C. R.</i>	<i>Turcotte,</i>
<i>Burnet,</i>	<i>Harrison, Hon. S.B.</i>	<i>Parent,</i>	<i>Viger, Hon. D.B.</i>
<i>Cartwright,</i>	<i>Holmes,</i>	<i>Parke,</i>	<i>Woods,</i>
<i>Child,</i>	<i>Johnston,</i>	<i>Prince,</i>	<i>Yule.—41.</i>
<i>Christie,</i>			

So it passed in the Negative.

Mr. *Thorburn*, then moved in amendment seconded by Mr. *Aylwin*, That the words "one thousand" be struck out of the said Resolution and the words "seven hundred and fifty" substituted in lieu thereof.

Amendment lost.

Second amendment proposed.

The House divided on the motion of amendment, and the names being called for they were taken down as followeth :—

YEAS.

<i>Aylwin,</i>	<i>Harrison, Hon. S.B.</i>	<i>Parke,</i>	<i>Steele,</i>
<i>Boswell,</i>	<i>Hincks,</i>	<i>Powell,</i>	<i>Thompson,</i>
<i>Cameron,</i>	<i>Hopkins,</i>	<i>Robln,</i>	<i>Thorburn,</i>
<i>Duggan,</i>	<i>McLean,</i>	<i>Smith, (Went.)</i>	<i>Watts.—19.</i>
<i>Durand,</i>	<i>Morris,</i>	<i>Sherwood,</i>	

NOES.

<i>Armstrong,</i>	<i>Daly, Hon. D.</i>	<i>McNab, Sir A.N.</i>	<i>Raymond,</i>
<i>Baldwin,</i>	<i>Draper, Hon. W.H.</i>	<i>McCulloch,</i>	<i>Robertson,</i>
<i>Barthe,</i>	<i>Dunn, Hon. J. H.</i>	<i>McDonald, (Pres.)</i>	<i>Ruel,</i>
<i>Berthelot,</i>	<i>Dunscomb,</i>	<i>Merritt,</i>	<i>Small,</i>
<i>Black,</i>	<i>Dunlop,</i>	<i>Moffatt, Hon. G.</i>	<i>Taché,</i>
<i>Borne,</i>	<i>Foster,</i>	<i>Morin,</i>	<i>Turcotte,</i>
<i>Boutillier,</i>	<i>Gilchrist,</i>	<i>Ogden, Hon. C. R.</i>	<i>Viger, Hon. D.B.</i>
<i>Burnet,</i>	<i>Hale,</i>	<i>Parent,</i>	<i>Williams,</i>
<i>Cartwright,</i>	<i>Holmes,</i>	<i>Prince,</i>	<i>Woods,</i>
<i>Child,</i>	<i>Johnston,</i>	<i>Quesnel,</i>	<i>Yule.—42.</i>
<i>Christie,</i>	<i>Killaly, Hon. H.H.</i>		

So it passed in the Negative.

Mr. *Christie*, then moved, in amendment, seconded by Mr. *Parent*, That the following words be added to the said Resolution "provided the said Speaker hold no Office of profit or emolument under the Crown."

2nd amendment lost.

Speaker to receive no other emolument from the Crown.

The question having been put upon the said motion of amendment, it was agreed to unanimously.

The question being then put on the main motion viz :—"that the House do concur with the Committee in the said Resolution."

Original resolution as concurred in.

The House divided thereon, and the names being called for, they were taken down as followeth :—

YEAS.

<i>Armstrong,</i>	<i>Berthelot,</i>	<i>Burnet,</i>	<i>Christie,</i>
<i>Aylwin,</i>	<i>Black,</i>	<i>Cameron,</i>	<i>Daly, Hon. D.</i>
<i>Baldwin,</i>	<i>Borne,</i>	<i>Cartwright,</i>	<i>Draper, Hon. W.H.</i>
<i>Barthe,</i>	<i>Boutillier,</i>	<i>Child,</i>	<i>Dunn, Hon. J. H.</i>

<i>Dunscomb,</i>	<i>Johnston,</i>	<i>Morin,</i>	<i>Smith, (Went.)</i>
<i>Dunlop,</i>	<i>Killaly, Hon. H.H. Parent,</i>		<i>Sherwood,</i>
<i>Foster,</i>	<i>McNab, Sir A.N. Prince,</i>		<i>Taché,</i>
<i>Gilchrist,</i>	<i>McDonald, (Pres.) Quesnel,</i>		<i>Turcotte,</i>
<i>Hale,</i>	<i>McDonald, (Glen.) Raymond,</i>		<i>Viger, Hon. D.B.</i>
<i>Harrison, Hon. S.B. McLean,</i>	<i>Robertson,</i>		<i>Watts,</i>
<i>Holmes,</i>	<i>Moffatt, Hon. G. Small,</i>		<i>Yule.—44.</i>

NOES.

<i>Boswell,</i>	<i>Hopkins,</i>	<i>Powell,</i>	<i>Thompson,</i>
<i>Duggan,</i>	<i>Merritt,</i>	<i>Roblin,</i>	<i>Thorburn,</i>
<i>Durand,</i>	<i>Morris,</i>	<i>Steele,</i>	<i>Williams.—14.</i>
<i>Hincks,</i>	<i>Parke,</i>		

So it was carried in the affirmative.

The question being then put on the said Resolution as amended it was agreed to, and—

Resolved—Accordingly.

Select Com. to draft bill.

On motion of Mr. *Small*, seconded by Mr. *Prince*,

Resolved—That the Resolution of this House, on the subject of the Speaker's Salary be referred to a select Committee, with instructions to draft and report a Bill pursuant thereto, and that Mr. *Dunscomb*, and Mr. *Cartwright*, do compose the said Committee.

House goes into Com of whole on Montreal roads bill.

The Order of the day, for the House in Committee on the Bill to amend the Ordinance of the Third VICTORIA, chapter thirty-one, for the improvement of the roads in the neighbourhood of, and leading to, the City of *Montreal*, being read.

The House accordingly resolved itself into the said Committee,

Mr. *Durand*, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Bill reported amended.

And Mr. *Durand* reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House whenever it shall be pleased to receive the same.

Ordered—That the report be received to-morrow,

House goes into Com. mittee on Magdalen Islands Justice Bill.

The Order of the day, for the House in Committee on the Bill to provide temporarily for the Administration of Justice in the Magdalen Islands, in the Gulph of *St. Lawrence*, being read.

The House accordingly resolved itself into the said Committee.

Mr. *Roblin*, took the chair of the Committee, and after some time spent therein.

Mr. Speaker resumed the chair,

Several amendments

And Mr. *Roblin*, reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same,

Ordered—That the report be received to-morrow.

Time and place for taking evidence in York contested election altered.

Mr. *Hincks* moved, seconded by Mr. *Baldwin*,

That the time and place for the sitting of the Commissioners for taking evidence in the case of the controverted Election, for the second riding of the County of York, be altered, and that *Monday* next, be appointed for the sitting of the said Commissioners at the City of *Toronto*.

The question having been put upon the said motion, a division ensued and the names being called for, they were taken down as followeth :—

YEAS.

<i>Armstrong,</i>	<i>Berthelot,</i>	<i>Boswell,</i>	<i>Cameron,</i>
<i>Baldwin,</i>	<i>Borne,</i>	<i>Boutillier,</i>	<i>Christie,</i>

<i>Daly, Hon. D.</i>	<i>Foster,</i>	<i>Morin,</i>	<i>Small,</i>
<i>Day, Hon. C. D.</i>	<i>Gilchrist,</i>	<i>Morris,</i>	<i>Steele,</i>
<i>Derbshire,</i>	<i>Harrison, Hon. S.B.</i>	<i>Parent,</i>	<i>Taché,</i>
<i>Draper, Hon. W.H.</i>	<i>Hincks,</i>	<i>Parke,</i>	<i>Thompson,</i>
<i>Dunn, Hon. J. H.</i>	<i>Killaly, Hon. H.H.</i>	<i>Powel,</i>	<i>Turcotte,</i>
<i>Dunscomb,</i>	<i>McDonald, (Prest.)</i>	<i>Prince,</i>	<i>Viger, Hon. D.B.</i>
<i>Durand,</i>	<i>McDonald, (Glen.)</i>	<i>Quesnel,</i>	<i>Williams.—36.</i>

NOES.

<i>Aylwin,</i>	<i>Hale,</i>	<i>McLean,</i>	<i>Sherwood,</i>
<i>Black,</i>	<i>Johnston,</i>	<i>Merritt,</i>	<i>Thorburn,</i>
<i>Burnet,</i>	<i>McNab, Sir A.N.</i>	<i>Moffatt, Hon. G.</i>	<i>Watts,</i>
<i>Cartwright,</i>	<i>McCulloch,</i>	<i>Moore,</i>	<i>Yule.—17.</i>
<i>Dunlop,</i>			

So it was carried in the affirmative, and—
Ordered—Accordingly.

The Order of the day, for the House in Committee on the Bill for the disposal of public lands, being read.

House goes into Committee on Public Lands sale Bill.

The House accordingly resolved itself into the said Committee.

Mr. *J. S. McDonald*, took the chair of the Committee.

And the House having continued to sit till after twelve of the clock, on *Tuesday* morning.

Martis, 24^o die Augusti, 1841.

Mr. Speaker resumed the chair,

And Mr. *J. S. McDonald*, reported that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's Table, and agreed to by the House.

Bill reported amended.

The Honourable Mr. *Harrison* moved, seconded by the Honourable Mr. *Day*,

That the said Bill as amended, be engrossed.

Bill to be engrossed.

The question having been put upon the said motion a division ensued, and the names being called for, they were taken down as followeth:—

YEAS.

<i>Borne,</i>	<i>Dunlop,</i>	<i>Hincks,</i>	<i>Powell,</i>
<i>Cameron,</i>	<i>Foster,</i>	<i>Killaly, Hon. H.H.</i>	<i>Steele,</i>
<i>Day, Hon. C. D.</i>	<i>Gilchrist,</i>	<i>McCulloch,</i>	<i>Thompson,</i>
<i>Derbshire,</i>	<i>Hale,</i>	<i>McDonald, (Glen.)</i>	<i>Viger, Hon. D.B.</i>
<i>Draper, Hon. W.H.</i>	<i>Harrison, Hon. S.B.</i>	<i>Parke,</i>	<i>Watts.—21.</i>
<i>Durand,</i>			

NOES.

Aylwin, *Johnston.—2.*

So it was carried in the Affirmative, and
Ordered—Accordingly.

The names of the members present were taken down as followeth:—

Mr. Speaker,

Messieurs *Aylwin, Borne, Cameron, Solicitor General Day, Attorney General Draper, Dunlop, Gilchrist, Hale, Harrison, Killaly, J. S. McDonald, Parke, Viger and Watts.*

And at two of the clock, on *Tuesday* morning, Mr. Speaker adjourned the House, for want of a Quorum, till this day.

House adjourns for want of Quorum.

Martis, 24^o die Augusti;

Anno 5^o Victoriae Reginae, 1841.

Petitions brought up. The following Petitions were severally brought up and laid on the Table:—

John Muller and other.

Andrew Timins, and others.
Archibald Campbell, and others

James Young, and others.

Archibald Campbell, Junr., and others.

Rev. Alex. Mann, and others
Froome Talfourde and others.

John McNab, and Angus McNab.

William Coates.

Petition of Horace Keating and others referred.

Petition of H. Glass and others referred.

Petitions, of Reverend Wm. Muir, and others; Jos. Huston and others; W. Young and Donald W. Phail, Jas. McCrae and others, Samuel Galloway and others; Chas. Currie and others; referred to the select Committee on a Common Schools Bill.

By Mr. *Robertson*—The Petition of *John Miller*, and others, inhabitants of *St. Scholastique*, County of the *Lake of Two Mountains*—The Petition of *Andrew Timins*, and others, inhabitants of the Seignory of *Argenteuil*—The Petition of *Archibald Campbell*, Senior, and others, of the Townships of *Grenville* and *Harrington*, County of the *Lake of Two Mountains*—The Petition of *James Young*, and others, inhabitants of *Grenville*, County of the *Lake of Two Mountains*—and the Petition of *Archibald Campbell*, Junior, and others, inhabitants of the Township of *Grenville*, County of the *Lake of Two Mountains*.

By Mr. *Cameron*—The Petition of the Reverend *Alexander Mann*, and others, of the Townships of *Fitzroy* and *Torbolton*—The Petition of *Froome Talfourde*, and others, inhabitants of the Northern Division of the County of *Kent*—and the Petition of *John MacNab*, and *Angus MacNab*, Executors of the Estate of the late *Duncan MacNab*.

By Sir *Allan MacNab*—The Petition of *William Coates*, Clerk in the House of Assembly of the late Province of *Upper Canada*.

On motion of Mr. *Cameron*, seconded by Mr. *Johnston*,
Resolved—That the Petition of *Horace Keating*, and others, presented to the House on the 14th of July last, be referred to a Select Committee, composed of Messieurs *Prince*, *Woods*, *Durand*, *Thompson*, *Parke* and *Steele*, to examine the contents thereof, and report thereon with all convenient speed, by Bill or otherwise, with power to send for persons, papers and records.

On motion of Mr. *Cameron*, seconded by Mr. *Roblin*,
Resolved—That the Petition of *H. Glass*, and others, inhabitants of *Perth*, and its vicinity, presented to the House, on the 9th instant, be referred to a Select Committee, composed of Messieurs *Thorburn*, *Roblin*, *McCulloch* and *Gilchrist*, to examine the contents thereof, and report thereon, with all convenient speed, by Bill or otherwise, with power to send for persons, papers and records.

Ordered—That the Petitions of the Reverend *William Muir*, and others, of the Townships of *Chatham* and *Grenville*; of *Joseph Huston*, and others, of the Township of *Chatham*, in the County of the *Lake of Two Mountains*; of *James Kennedy*, and others, of the Township of *Chatham*, County of the *Lake of Two Mountains*; of *William Young* and *Donald W. Phail*, of the Township of *Chatham*, County of the *Lake of Two Mountains*; of *James McCrae*, and others, inhabitants of the *East Settlement* in the Seignory of *Argenteuil*, County of the *Lake of Two Mountains*; of *Samuel Galloway*, and others, inhabitants of *Wentworth*, County of the *Lake of Two Mountains*; and of *Charles Currie*, and others, of the *Gore of Chatham*, County of the *Lake of Two Mountains*, be referred to the Select Committee to which was referred the Bill to repeal certain Acts therein mentioned, and to make provision for the establishment and maintenance of Common Schools throughout this Province, and other references.

Ordered—That the Petition of the Reverend *J. Maning*, and others, members of the Church of *England*, in the Seignory of *St. Giles*, praying that the Scriptures may be used as a Class Book in the Schools and Seminaries, and be placed in the hands of all the scholars, be referred to the said Committee.

Petition of Reverend *J. Maning* and others referred to same Committee.

Ordered—That the Petition of the Reverend *Richard Anderson*, and others, members of the Church of *England*, of *New Ireland*, and other places, County of *Megantic*, praying that the Scriptures may be used as a Class Book in the Schools and Seminaries, and be placed in the hands of all the scholars, be referred to the said Committee.

Petition of the Reverend *Richard Anderson* and others, referred to same Committee.

The Honourable Mr. *Moffatt*, from the Select Committee to which were referred the Resolutions of this House of the 4th instant, relative to the exportation from this Province of flour and meal, pot and pearl ashes, and beef and pork, without inspection, with power to report by Bill or otherwise, presented to the House a Bill to regulate the inspection of pot and pearl ashes, which was received and read for the first time.

Ashes Inspection bill brought in and read 1st. time.

Ordered—That the said Bill be read a second time on *Friday* next.

2nd Reading Tuesday next.

Mr. *Hale*, Chairman of the Committee to try the merits of the Petition of *Robert Melville*, and *John McBride*, electors of the Town of *Niagara*, complaining of the undue election and return of *Edward Clarke Campbell*, Esquire, sitting member for the said Town of *Niagara*, reported to the House, that in as much as the Commission named to take evidence on the controverted election for the Town of *Niagara*, have, under the Order of the House of the *seventeenth* instant, limiting their return to the *twenty-first* instant, made a return, by which it appears that they had not sufficient time to go through the evidence on the part of the sitting Member it is—

Report relating to *Niagara* contested election.

Resolved—That the chairman of the Committee do report the same to the House for their order thereon.

Mr. *Roblin* moved, seconded by Mr. *Black*,

That the first standing rule of this House be suspended during the remainder of this Session, in so far as respects the meeting of the House, and that it do meet at ten o'clock in the forenoon, and, if at ten o'clock there be not a quorum the Speaker, may take the chair and adjourn.

Motion for meeting of Houses at 10 o'clock A. M.

The Honourable Mr. *Moffatt* moved, in amendment seconded by Mr. *Robertson*,

That between the word "do" and the word "meet," in the said motion, the words "on and after *Monday* next" be inserted.

Amendments proposed.

The question having been put on the motion of amendment, a division ensued, and it passed in the negative.

The question being then put on the main motion, a division also ensued, and it was carried in the affirmative.

Main Motion carried.

Ordered—Accordingly.

On motion of Mr. *Boutillier*, seconded by the Honourable Mr. *Viger*,
Ordered—That the return of His Excellency, the Governor General, to the address of this House, relative to the Police Force in that part of the Province, called *Lower Canada*, be printed in English and French, one hundred and twenty-five copies in each language, for the use of the Members of this House.

Return of Police Force to be printed.

On motion of Mr. *Boutillier*, seconded by Mr. *J. S. MacDonald*,

Ordered—That the Order of the day, for the second reading of the Bill to regulate the appointment of Clerks of Magistrates, in Country Parishes, and Townships, in the late Province of *Lower Canada*, and to provide Rules for their conduct, and that of Bailiffs, in certain cases, lost by

Order of the day for second reading Magistrates appointment Bill revised for to morrow.

the adjournment of the House of the ninth instant, be revived, and that the said Bill be read a second time to-morrow.

Amendments to Fire Assurance Bill to be considered to-morrow.

On motion of Mr. *Black*, seconded by Mr. *Burnet*,
Ordered—That the amendments made by the Legislative Council to the Bill intituled “*An Act for incorporating the Canada Fire Assurance Company*” be taken into consideration to-morrow.

Commissioners again appointed on Niagara contested election.

On motion of Mr. *Boswell*, seconded by Mr. *Roblin*,
Resolved—That this House do now again nominate and appoint, under the hand and seal of the Speaker, three Commissioners for the purpose of examining the witnesses of the parties in the matter of the controverted election for the Town of *Niagara*, and that *Alexander Grant*, *Jacob Keefer*, and *Lorenzo D. Raymond*, Esquires, be such Commissioners, who shall be authorized and empowered to hold their sittings at the Town of *Niagara* on *Monday* next the *thirtieth* instant, with *Alexander Grant*, Esquire, as chairman of the said Commission, and that the said Commissioners do make their return to this House with all convenient speed.

Michel Borne excused from attending sittings of election Committee.

On motion of Mr. *Roblin*, seconded by Mr. *Boswell*,
Ordered—That *Michel Borne*, Esquire, Member for *Rimouski*, be excused from serving on the Committee appointed to try the contested election for the Second Riding of the County of *York*, during the remainder of the sittings of the said Committee.

Leave of absence granted to Mr. *Duggan* till 1st Sept

Ordered—That Mr. *Duggan*, have leave to absent himself from this House until the *first* of *September* next, for the purpose of attending the Commission of evidence on the contested election for the Second Riding of the County of *York*.

Message from Legislative Council.

A Message from the Legislative Council by *John Godfrey Spragge*, Esquire, Master in Chancery.

MR. SPEAKER,

Woodstock Limits bill passed Leg Council

The Legislature Council have passed the Bill intituled “*An Act to extend and define the limits of the Town of Woodstock in the District of Brock*” without any amendment.

And also,

The Legislative Council have passed the following Bills, with several amendments, to which they desire the concurrence of the Assembly.

Montreal Board of Trade Bill, and winter roads Bill amended by Leg. Council

“*An Act to incorporate the Montreal Board of Trade.*”
“*An Act to amend two certain Ordinances therein mentioned, relative to the Winter Roads in that part of the Province formerly Lower Canada.*”

And then he withdrew.

Mr. *Aylwin*, from the Special Committee to which was referred the Bill, for better securing the independence and uprightness of the Judges, presented to the House the report of the said Committee, which was again read at the Clerk’s table as followeth :—

Report of Committee on Judges independence Bill.

“The principle of the Bill, submitted to the consideration of your Committee, is one which is unquestionable, and which has long been satisfactorily carried out in practice in *England*, in *France*, and in the *United States of America*. In this Colony also, the Statute of *Upper Canada*, 4, WILLIAM 4, ch. 2, is identical with the present Bill, in principle, though it differ from it in its details.

The Committee deem it to be an object of the highest importance to secure uniformity in the Legislation of both parts of this Province, as

far as practicable, and it has therefore adopted the last proviso, in the preamble of the statute of *Upper Canada*, as well as the second section of that statute, and has incorporated them into the present Bill."

Ordered—That the said Bill and Report be referred to a Committee of the whole House, on *Monday* next.

Bill and Report referred.

Ordered—That Mr. *Borne* have leave to absent himself from this House, from the *twenty-fifth* instant, during the remainder of the session.

Leave of absence to Mr. Borne.

On motion of the Honourable Mr. *Harrison*, seconded by Mr. Attorney General *Draper*,

Resolved—That this House will, on *Tuesday* next, resolve itself into a Committee of the whole House, to take into consideration the subject of the Message of His Excellency, the Governor General, relative to the salaries of the Honourable the Speaker of the Legislative Council, and the Honourable the Speaker of this House, and the salaries of the officers of both Houses.

House will go into Committee of whole on Officers salaries on *Tuesday* next.

On motion of Mr. *Hale*, seconded by Mr. *Thorburn*,

Ordered—That the Committee appointed to try the merits of the Petition of *Robert Melville* and *John McBride*, Electors of the Town of *Niagara*, complaining of the undue election and Return of *Edward Clarke Campbell*, Esq., sitting member for the said Town of *Niagara*, have leave to adjourn until the *third* of *September* next, at ten o'clock A. M.

Select Committee on *Niagara* Election have leave to adjourn to 3rd *September*.

On motion of the Honourable Mr. *Moffatt*, seconded by Mr. *Holmes*,

Ordered—That the amendments made by the Legislative Council to the Bill intituled "*An Act to incorporate the Montreal Board of Trade*" be taken into consideration to-morrow.

Amendments to *Montreal* Board of Trade Bill to be considered to-morrow.

On motion of Mr. *Duggan*, seconded by Mr. *Neilson*,

Resolved—That an humble address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House copies of all the instructions addressed to, and of all the Reports received from, the School Visitor appointed under the ordinance of the Special Council, 2nd VICTORIA, chapter *forty-three*, on the subject of the present condition of the School Houses, the state of education, and other matters connected with the state of education in *Lower Canada*, referred to in the said Ordinance.

Address to His Excellency for School Visitor's Report.

Ordered—That the said Address be presented to His Excellency, the Governor General, by such members of this House as are of the Honourable the Executive Council of this Province.

On motion of Mr. *Armstrong*, seconded by the Honourable Mr. *Viger*,

Ordered—That the amendments made by the Legislative Council to the Bill, intituled "*An Act to amend two certain Ordinances therein mentioned, relative to Winter Roads in that part of the Province formerly Lower Canada*" be taken into consideration to-morrow.

Amendments to *Winter Roads* bill to be considered to-morrow.

Ordered—That Mr. *Burnet* have leave to bring in a Bill to incorporate the *Quebec* Board of Trade.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time.

Ordered—That the said Bill be read a second time on *Friday* next.

Quebec Board of Trade Bill read first time and ordered for second reading on *Friday* next.

Ordered—That the Petition of the Right Reverend the Catholic Bishop of *Quebec*, and the Right Rev. the Bishop of *Sidyme*, his coadjutor, stating that they entertain a hope, that when the House will adopt a Law for the encouragement of education in this Province, they will watch carefully that it shall contain no enactment which can prejudice the interests of Her Majesty's Catholic subjects, also that it will be based on princi-

Petition of Catholic Bishop referred.

ples of Justice, be referred to the Select Committee to which was referred the Bill to repeal certain Acts therein mentioned, and to make provision for the establishment and maintenance of Common Schools throughout this Province, and other references.

Magdalen Islands Bill reported amended.

Mr. Roblin, from the Committee of the whole House, on the Bill to provide temporarily for the administration of Justice in the *Magdalen Islands*, in the Gulf of *St. Lawrence*, reported according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Bill to be engrossed.

Mr. Christie moved, seconded by *Mr. Borne*,

That the said Bill as amended be engrossed.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth :

YEAS.

<i>Armstrong,</i>	<i>Dunlop,</i>	<i>Moore,</i>	<i>Smith, (Went.)</i>
<i>Baldwin,</i>	<i>Gilchrist,</i>	<i>Morin,</i>	<i>Steele,</i>
<i>Berthelot,</i>	<i>Hincks,</i>	<i>Morris,</i>	<i>Taché,</i>
<i>Boutillier,</i>	<i>Holmes,</i>	<i>Neilson,</i>	<i>Thompson,</i>
<i>Campbell,</i>	<i>Hopkins,</i>	<i>Parent,</i>	<i>Thorburn,</i>
<i>Chesley,</i>	<i>Johnston,</i>	<i>Parke,</i>	<i>Turcotte,</i>
<i>Christie,</i>	<i>Killaly, Hon. H.H. Powell,</i>		<i>Viger, Hon. D.B.</i>
<i>Crane,</i>	<i>McNab, Sir A.N. Prince,</i>		<i>Williams,</i>
<i>Dunn, Hon. J. H.</i>	<i>McDonald, (Pres.)</i>	<i>Raymond,</i>	<i>Woods,</i>
<i>Duggan,</i>	<i>McLean,</i>	<i>Roblin,</i>	<i>Yule.—43.</i>
<i>Durand,</i>	<i>Moffatt, Hon. G.</i>	<i>Small,</i>	

NOES.

Black, *Cameron,* *Foster,* *Hule.—4.*

So it was carried in the affirmative, and—
Ordered—Accordingly.

Montreal Roads Bill reported amended.

Mr. Durand, from the Committee of the whole House, on the Bill to amend the Ordinance of the 3rd VICTORIA, Chapter 31, for the improvement of the roads in the neighbourhood of, and leading to the city of *Montreal*, reported according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Bill to be engrossed.

Ordered—That the said Bill, as amended, be engrossed.

Grand River Navigation Bill, read 2nd time and to re-committed on Thursday next

A Bill to amend the Law regulating the Election of Directors of the *Grand River Navigation Company*, was according to Order, read a second time.

Ordered—That the said Bill be referred to a Committee of the whole House on *Thursday* next.

House goes into Committee on Public Improvements.

The Order of the day, for the House in Committee to take into consideration the Message of His Excellency the Governor General, relative to Public Improvements, together with the documents accompanying the same, being read,

The House accordingly resolved itself into the said Committee.

Mr. Chesley took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Progress.

And *Mr. Chesley* reported, that the Committee had made some progress, and had directed him to move for leave to sit again.

Sit again on Thursday next

Ordered—That the said Committee have leave to sit again on *Thursday* next.

The Order of the day, for the House in Committee on the Report of the Special Committee to which was referred the Return to an Address of the 6th of *July* last, from this House to His Excellency the Governor General, relative to the claim of *Christopher Leggo*, of *Brockville*, being read,

House goes into Committee on Return to Address in case of *Chris. Leggo*.

The House accordingly resolved itself into the said Committee.

Mr. *Cameron* took the the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Cameron* reported, that the Committee had come to a Resolution, which Resolution was again read at the Clerk's Table, and agreed to by the House, and is as followeth:—

Resolution reported.

Resolved—That an humble Address be presented to His Excellency the Governor General, respecting the claim of *Christopher Leggo*, of the Town of *Brockville*, whose shop was, without provocation, forcibly entered in the spring of 1838, by some volunteers, at that period stationed in the said Town for the protection of its inhabitants, for which offence several of the said volunteers were tried and convicted—informing His Excellency that the loss sustained by the said *Christopher Leggo*, amounting to the sum of two hundred and forty six pounds, has been one of severe hardship and privation, and loudly calls for immediate relief, and humbly praying that His Excellency will be pleased to take the subject into his serious and immediate consideration, and afford such redress as the nature of the case may require.

Address to His Excellency in case of *Chris. Leggo*.

Ordered—That the said Address be presented to His Excellency by such members of this House as are of the Honourable the Executive Council of this Province.

The Order of the day for the House in Committee on the Bill, the better to provide for the freedom of Elections throughout this Province, and for other purposes therein mentioned; and the Bill to provide for the enregistration of persons entitled to vote at elections of members of the Legislative Assembly of this Province, and to make better provision for the holding of such elections, being read,

House goes into Committee on Election Bills.

The House accordingly resolved itself into the said Committee.

Mr. *Turcotte* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Turcotte* reported, that the Committee had gone through the Bill the better to provide for the freedom of elections throughout this Province, and for other purposes therein mentioned, and had made several amendments thereto which he was directed to report to the House whenever it shall be pleased to receive the same, and also that he was directed by the Committee to move for leave to sit again,

Election Bill amended.

Ordered—That the Report be received to-morrow.

Report to be received to-morrow and Committee to sit again.

Ordered—That the said Committee have leave to sit again to-morrow.

On motion of Mr. *Aylwin*, seconded by Mr. *J. S. MacDonald*,

Ordered—That the Orders of the day that have not been disposed of, be postponed until to-morrow.

Order of day postponed.

Mr. *Aylwin* moved seconded by Mr. *J. S. McDonald*, that the House do now adjourn.

The question having been put upon the said motion, a division ensued, and it was carried in the affirmative, and—

The House adjourned accordingly.

Mercurii, 25^o die Augusti ;
Anno 5^o Victoriae Reginae, 1841.

- Petitions brought up.* The following Petitions were severally brought up and laid on the table.
- Rev. Hugh Urquhart and others. By Mr. *McLean*—The Petition of the Reverend *Hugh Urquhart*, and Elders, of *St. John's Church, Cornwall*; the Petition of *Michael Kelly* and others, inhabitants, of the Townships of *Roxborough*, and *Finch*, and the Petition of *Allan McDonell* of *St. Andrews*, Township of *Cornwall*.
- M. Kelly and others. By Sir *Allan McNab*—The Petition of *Amos West*, of the Township of *West Gwillimbury*.
- Allan McDonell.
- Amos West.
- Montreal Roads Bill passed. An engrossed Bill to amend the Ordinance of the *third VICTORIA* Chapter *thirty-one*, for the improvement of the Roads in the neighbourhood of, and leading to the City of *Montreal*, was read for the third time.
- Title. *Resolved*—That the Bill do pass and that the title be "*An Act to amend the Ordinances of the Legislature of the late Province of Lower Canada, providing for the improvement of Roads in the neighbourhood of the City of Montreal.*"
- Ordered*—That Mr. *Holmes* do carry the said Bill to the Legislative Council and desire their concurrence.
- Magdalen Islands Bill passed. An engrossed Bill to provide temporarily for the administration of Justice in the *Magdalen* Islands, in the Gulf of *St. Lawrence*, was read for the third time.
- Resolved*—That the Bill do pass.
- Ordered*—That Mr. *Christie* do carry the said Bill to the Legislative Council, and desire their concurrence.
- Public Lands Bill read 3rd time. An engrossed Bill for the disposal of Public Lands, was read for the third time.
- Ryder proposed. Mr. *Hincks* moved seconded by Mr. *Thompson*, that the following engrossed clauses marked A & B be added to the said Bill by way of Ryder, and do make part thereof.

(A.)

And be it enacted, that the monies paid into the hands of the Receiver General by the Commissioner of Crown Lands, under the provisions of this Act, or by any other person or officer as the proceeds of sales of Crown Lands, whether sold before or after the passing of this Act, shall form a separate fund to be kept apart from other monies in the hands of the said Receiver General, and shall by him be invested from time to time in Provincial securities, or in the securities issued by the District Council of any Municipal District in this Province, according to the directions which he shall from time to time receive from the Governor, or Person administering the Government, which directions shall be so framed as always to give the preference, so far as may be possible to each Municipal District respectively, applying for any such investment, for the supposed net amount arising from the sale of lands in such District then in the hands of the Receiver General, and if any such securities shall be redeemed at any time, the principal sum shall form part of the separate fund aforesaid, and shall as occasion may offer be reinvested in the manner herein provided, and the interest only, arising from the monies forming the said separate fund, shall be applicable to the general uses of this Province, and all such interest shall be received by the said Receiver General, if accruing on any loan

to any Municipal District, and credited by him to the account of the consolidated Revenue fund of the Province, if accruing upon any Provincial security, and shall in either case, be applied and accounted for as other public moneys in his hands; but the principal shall in all cases remain untouched as a separate fund to produce Revenue as aforesaid.

(B.)

And be it enacted that the per centage to be allowed, to the several District Agents, upon the amounts received by them under this Act, shall in no case exceed five per cent on the said amounts, any thing in the foregoing sections of this Act to the contrary notwithstanding.

The question having been put upon the said motion, a division ensued, and it passed in the negative. Ryder lost.

The Honourable Mr. *Harrison* moved, seconded by Mr. *Parke*, that the Bill do pass.

The question having been put upon the said motion, a division ensued, and it was carried in the affirmative, Bill passed.

Resolved—Accordingly.

*Ordered—*That the Honourable Mr. *Harrison* do carry the said Bill to the Legislative Council, and desire their concurrence. Bill sent to Legislative Council.

Pursuant to the order of the day, the following Petitions were read: Petitions read.

Of *Malcolm McGillivray*, and others, Trustees of the Presbyterian Congregation of *Lochiel*, in the Eastern District, praying that an Act be passed enabling them to make conveyance of part of a certain lot of land. Of Malcolm McGillivray and others.

Of *John MacDonald*, and others, Censitaires of the Seignory of *Beauharnois*, praying for the abolition of the Feudal Tenure. John McDonald and others.

Of *Lewis Lyman*, Commissioner of the North American Colonial Association of Ireland, and other inhabitants of the County of *Beauharnois*, praying, that in considering the improvement of the Navigation of the River *Saint Lawrence*, the House will follow such course as to its wisdom and justice seem fit. Of Lewis Lyman.

Of *William Walker*, and others, Merchants of the City of *Quebec*, praying, for an Act of Incorporation in favour of the Board of Trade of the said City. Of William Walker and others.

Of *John Arnold*, and others, inhabitants of the County of *Oxford*, praying, that the Agricultural interests of the Province may be protected, by imposing duties on products imported into the Province. Of John Arnold and others.

Of *J. S. Baldwin*, and others, Citizens of *Toronto*, praying the House to Petition Her Majesty to cause the Parliament of *Canada* to meet alternately at *Toronto* and *Quebec*, or remunerate those Cities for the great loss they will otherwise sustain. J. S. Baldwin and others.

On motion of Mr. *J. S. MacDonald*, seconded by Mr. *Price*,

*Resolved—*That the Petition of *Malcolm McGillivray*, and others, Trustees of the Presbyterian Congregation of *Lochiel*, in the Eastern District, be referred to a Select Committee composed of Messieurs *Thorburn* and *Cameron* to examine the contents thereof, and report thereon with all convenient speed, by Bill or otherwise; with power to send for persons, papers, and records. Petition of Malcolm McGillivray and others referred.

*Ordered—*That the Petition of the Right Reverend *Remegius Gaulin*, Bishop of *Kingston*, and of the Reverend *A. Mauseau*, and *H. Hudon*, administrators of the diocese of *Montreal*, presented to the House on the eighteenth instant, be referred to the Select Committee to which was referred the Bill to repeal certain Acts therein mentioned, and to make provision for the establishment and maintenance of Common Schools, throughout this Province, and other references. Petition of Remegius Gaulin Bishop of Kingston and others, referred.

The Honourable *D. Daly* presented, pursuant to an address of the House of Assembly, of the *seventeenth* instant, a return on the subject of the monies paid to the Receiver General, subsequently to the *twenty-fifth of February* 1832, out of the Jesuits Estates.

Return to Address to
His Excellency of 17
August

Return to an address from the House of Assembly to His Excellency, the Governor General,—dated 17th *August*, 1841, praying “a statement of the sums of money received into the Receiver General’s chest in each year, subsequent to the 25th *February* 1832, arising out of the estates of the late order of Jesuits, and of the amount thereof, now in the hands of the Receiver General at the disposal of the Legislature, for the purposes of education exclusively, conformably to the first clause of the Statute of *Lower Canada*, 2nd, WILLIAM. IV., chap. 41.”

D. DALY,
Secretary.

Secretary’s Office, Kingston, }
20th August, 1841. }

Statement of the sums of money received into the Receiver General’s chest in each year, subsequently to the 25th *February*, 1832, arising out of the estates of the late order of Jesuits, and of the amount thereof, now in the hands of the Receiver General at the disposal of the Legislature, for the “purposes of education exclusively”, conformably to the first clause of the Statute of *Lower Canada*, 2nd., WILLIAM, 4th chap. 41.

Statement of Moneys
received from Jesuits
Estates

	CURRENCY.		
Balance in the Receiver General’s hands on the 10th October, 1831.....	1,870	10	8½
Amount received in 1832.....	2,695	14	9½
do. do. in 1833.....	1,600	6	6½
do. do. in 1834.....	1,654	11	6½
do. do. in 1835.....	1,767	5	8½
do. do. in 1836.....	2,139	2	9
do. do. in 1837.....	2,207	17	11
do. do. in 1838.....	1,911	4	8½
do. do. in 1839.....	1,563	5	5½
do. do. in 1840.....	1,923	7	6¼
do. do. in 1841.....	1,497	18	8¼
Total Currency, £	20,831	6	4½
Less amount of payments made in 1832, on appropriations by Provincial Act, 2. WILLIAM 4th chap. 41.....	917	11	11
Balance now in hands of the Receiver General in Currency,.....£	19,913	14	5½
Equal in Sterling to.....£	17,922	7	0

JOSEPH CAREY,
Inspector General of Accounts.

Kingston, 20th August, 1841.

Report referred to
Committee on Schools.

On motion of Mr. *Neilson*, seconded by Mr. *Raymond*,
Ordered—That the said Return be referred to the Select Committee, to which was referred the Bill, to repeal certain Acts therein mentioned.

and to make provision for the establishment and maintenance of Common Schools throughout this Province, and other References.

Mr. *Raymond*, from the Select Committee to which was referred the Petition of the Trustees of the College of *L'Assomption*, with power to report by Bill or otherwise, presented to the House, a Bill to Incorporate the College of *L'Assomption*, in the County of *Leinster*, which was received, and read for the first time.

Select Committee on petition of Trustees of College of *L'Assomption*, report Bill to incorporate said College.

Ordered—That the said Bill be read a second time on *Monday* next.

On motion of the Honourable Mr. *Harrison*, seconded by Mr. Attorney General *Draper*,

House in consideration of amendments of Legislative to naturalization Bill.

Ordered—That the amendments made by the Legislative Council to the Bill intituled “*An Act to secure to, and confer upon, certain inhabitants of this Province the Civil and Political rights of natural born British Subjects,*” be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration,

And the said amendments were read, and are as followeth:—

Press 1, line 15—After “the” leave out “five,” and insert “seven.”

Amendments

Press 1, line 16—After “for” leave out “five,” and insert “seven.”

Press 1, line 39—After “Province” leave out “five,” and insert “seven.”

Press 2, line 3—After “for” leave out “five,” and insert “seven.”

Press 2, line 6—After “such” leave out “five,” and insert “seven.”

Press 2, line 10—After “of,” leave out “five,” and insert “seven.”

Press 5, line 30—Alter “of” leave out “five,” and insert “seven.”

Press 6—In the Declaration, column 4, leave out “five,” and insert “seven.”

Engrossed amendments.

JAMES FITZGIBBON,

Clerk Leg. Council.

And the said amendments being again read,

The Honourable Mr. *Harrison* moved, seconded by Mr. Solicitor General *Day*,

Motion to concur in the amendments.

That this House doth concur with the Legislative Council in the said amendments.

Sir *Allan MacNab* moved, in amendment to the said motion, seconded by Mr. *Cartwright*,

Motion to postpone concurrence.

That the said amendments be concurred in on the 4th day of *July* next.

The question being put on the motion of amendment, a division ensued, and it passed in the Negative.

Lost.

The question being then put on the main motion, it was agreed to by the House, and

Main motion carried.

Resolved—Accordingly.

Ordered—That the Honourable Mr. *Harrison* do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

Robert Baldwin, Esquire, being chosen a Knight to serve in this Provincial Parliament for the 4th Riding of the County of *York*, and also for the County of *Hastings*, made his election to serve for the County of *Hastings*.

Mr. Baldwin decides on sitting for Committee of *Hastings*.

Ordered—That Mr. Speaker do issue his Warrant to the Clerk of the Crown in Chancery, to make out a new Writ, for the election of a Knight

Witnesses of election ordered for 4th. riding of *York*.

to serve in this present Provincial Parliament for the 4th Riding of the County of *York*, in the room of the said *Robert Baldwin*, Esquire.

Address to His Excellency for Return of Confiscations in Canada East

On motion of Mr. *Christie*, seconded by Mr. *Aylwin*,

Resolved—That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be laid before this House, a statement of the confiscations in that part of the Province which lately constituted *Lower Canada*, in consequence of the insurrections therein in 1837 and 1838; such statement to specify the several immoveables confiscated and sold; the names of the persons to whom they respectively belonged; the expenses incurred on the part of the Crown in the prosecutions; the amount realized upon the sale of each; and the sum total paid into the Provincial Treasury, arising from such confiscations; and that His Excellency will also be pleased to cause to be laid before this House, a list of the names of all such persons, belonging to the said late Province of *Lower Canada*, as have been, by any Legislative Acts, or judicial proceedings, outlawed, and of such also as are in exile in consequence of any political offences committed in the late Province aforesaid.

Ordered—That the said Address be presented to His Excellency, by such members of this House as are of the Honourable the Executive Council of this Province.

Bill to render Vice Admiralty Judge ineligible brought in

Ordered—That Mr. *Christie* have leave to bring in a Bill, to render the Judge of Her Majesty's Court of Vice Admiralty, ineligible to the Legislative Assembly of the Province.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time.

Ordered—That the said Bill be read a second time on *Monday* next.

Address to His Excellency for Return of situations held &c. by Commissioners on late Toronto Riots, ordered.

On motion of Mr. *Johnston*, seconded by Mr. *Aylwin*,

Resolved—That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to inform this House what situations, or places of profit and emolument, are held (if any) under the Government of this Province, by the Commissioners who were appointed to investigate the late riots at *Toronto*; and what remuneration has been paid to the said Commissioners in their said capacity.

Ordered—That the said Address be presented to His Excellency, by such members of this House as are of the Honourable the Executive Council of this Province.

Sir A. McNab added to Committee on Public Accts and Estimates.

Ordered—That Sir *Allan McNab* be added to the Select Committee, to which was referred so much of the Message of His Excellency the Governor General, as relates to the Estimates for the year ending 31st *December*, 1841, together with the documents connected therewith.

Address to His Excellency for documents respecting Seignory of Lauzon, ordered.

On motion of Mr. *Aylwin*, seconded by Mr. *Parent*,

Resolved—That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be laid before this House, copies of all communications between Her Majesty's Ministers, or any of them, and the Provincial Government, respecting the Seignory of *Lauzon*; of all documents relating to any compromise between the Crown and the Seigneur of *Lauzon*; of the claims upon the said Seignory under two certain judgments obtained by the Crown against the said Seigneur in the Court of King's Bench, for the District of *Quebec*, and a return of all monies received by the Crown during the last five years, as and for the rents, issues and profits of the

said Seignory ; and a statement of the expenditure of such moneys, with the authority under which such expenditure was made.

Ordered—That the said Address be presented to His Excellency the Governor General, by such Members of this House as are of the Honourable the Executive Council of this Province.

Mr. *Boswell* moved, seconded by Mr. *Gilchrist*,

That this House do now resolve itself into a Committee of the whole House, to take into consideration that part of the Petition of the Reverend *Wm. Ryerson*, and others, composing the Board of the *Upper Canada Academy*, which prays for “aid to the said Institution so as to maintain and extend its useful operations.”

The question having been put upon the said motion a division ensued, and the names being called for they were taken down as followeth:—

YEAS.

<i>Boswell,</i>	<i>Dunn, Hon. J.H.</i>	<i>Harrison, Hon. S.B.</i>	<i>Roblin,</i>
<i>Cameron,</i>	<i>Durand,</i>	<i>Holmes,</i>	<i>Smith, (Went.)</i>
<i>Campbell,</i>	<i>Dunlop,</i>	<i>Hopkins,</i>	<i>Small,</i>
<i>Crane,</i>	<i>Foster,</i>	<i>Morris,</i>	<i>Thompson,</i>
<i>Derbshire,</i>	<i>Gilchrist,</i>	<i>Parke,</i>	<i>Woods.—20.</i>

NOES.

<i>Armstrong,</i>	<i>Cartwright,</i>	<i>Neilson,</i>	<i>Taché,</i>
<i>Aylwin,</i>	<i>Christie,</i>	<i>Parent,</i>	<i>Turcotte,</i>
<i>Baldwin,</i>	<i>Dunscomb,</i>	<i>Price,</i>	<i>Viger, Hon. D.B.</i>
<i>Barthe,</i>	<i>Hincks,</i>	<i>Quesnel,</i>	<i>Watts,</i>
<i>Boutillier,</i>	<i>Johnston,</i>	<i>Ruel,</i>	<i>Yule.—22.</i>
<i>Burnet,</i>	<i>McDonald, (Glen.)</i>		

So it passed in the Negative.

Mr. *Turcotte*, from the Committee of the whole House on the Bill, the better to provide for the freedom of Elections throughout this Province, and for other purposes therein mentioned ; and the Bill, to provide for the enregistration of persons entitled to vote at Elections of Members of the Legislative Assembly of this Province, and to make better provision for the holding of such Elections, reported, according to order, the amendments made by the Committee to the first of the said Bills, which amendments were again read at the Clerk's Table.

Ordered—That the question of concurrence be now separately put upon the said amendments.

And the first to the eighteenth of the said amendments, inclusive, being again severally read, and the question of concurrence being separately put upon each, they were agreed to by the House.

The nineteenth and last of the said amendments being again read, and the question of concurrence being put thereon, it passed unanimously in the Negative.

Mr. *Watts* moved, seconded by Mr. *Johnston*,

That the following proviso be added at the end of the 34th clause of the said Bill—“Provided always that nothing in this clause shall be held to extend to the National Flag.”

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:—

YEAS.

<i>Campbell,</i>	<i>Foster,</i>	<i>McLean,</i>	<i>Steele,</i>
<i>Cartwright,</i>	<i>Gilchrist,</i>	<i>Ogden, Hon. C. R.</i>	<i>Thompson,</i>
<i>Derbshire,</i>	<i>Hale,</i>	<i>Parke,</i>	<i>Watts,</i>
<i>Dunscomb,</i>	<i>Johnston,</i>	<i>Sherwood,</i>	<i>Williams.—18.</i>
<i>Dunlop,</i>	<i>McNab, Sir A. N.</i>		

Motion for House to go into Committee on Petition of Reverend *W. Ryerson* and others, for aid to U.C. Academy.

Motion lost.

Chairman of Committee of whole on election Bill reports amendments to said Bill.

Question of concurrence put.

1st. to 18th. amendment agreed to.

19th amendment lost.

Proviso moved to 34th. clause of Bill.

NOES.

<i>Armstrong,</i>	<i>Daly, Hon. D.</i>	<i>Neilson,</i>	<i>Ruel,</i>
<i>Aylwin,</i>	<i>Day, Hon. C. D.</i>	<i>Parent,</i>	<i>Small,</i>
<i>Baldwin,</i>	<i>Holmes,</i>	<i>Powell,</i>	<i>Smith, (Went.)</i>
<i>Barthe,</i>	<i>McDonald, (Pres.)</i>	<i>Price,</i>	<i>Taché,</i>
<i>Boutillier,</i>	<i>Merritt,</i>	<i>Raymond,</i>	<i>Turcotte,</i>
<i>Burnet,</i>	<i>Morin,</i>	<i>Roblin,</i>	<i>Viger, Hon. D.B.</i>
<i>Christie,</i>			(25).

Lost.

Motion to expunge
34th clause.

So it passed in the Negative.

Sir *Allan MacNab* moved, seconded by Mr. *Cartwright*,
That the 34th clause of the said Bill be expunged.The question being put upon the said motion, a division ensued, and
the names being called for, they were taken down as followeth:—

YEAS.

<i>Cartwright,</i>	<i>Dunsmuir,</i>	<i>McNab, Sir A. N.</i>	<i>Steele,</i>
<i>Derbshire.</i>	<i>Johnston,</i>	<i>McLean,</i>	<i>Watts.—8.</i>

NOES.

<i>Armstrong,</i>	<i>Daly, Hon. D.,</i>	<i>Morin,</i>	<i>Ruel,</i>
<i>Aylwin,</i>	<i>Day, Hon. C. R.</i>	<i>Neilson,</i>	<i>Small,</i>
<i>Baldwin,</i>	<i>Dunlop,</i>	<i>Ogden, Hon. C.R.</i>	<i>Smith, (Went.)</i>
<i>Barthe,</i>	<i>Foster,</i>	<i>Parent,</i>	<i>Sherwood,</i>
<i>Boutillier,</i>	<i>Gilchrist,</i>	<i>Parke,</i>	<i>Taché,</i>
<i>Burnet,</i>	<i>Hale,</i>	<i>Powell,</i>	<i>Thompson,</i>
<i>Campbell,</i>	<i>Holmes,</i>	<i>Price,</i>	<i>Turcotte,</i>
<i>Child,</i>	<i>McDonald, (Pres.)</i>	<i>Raymond,</i>	<i>Viger, Hon. D.P.</i>
<i>Christie,</i>	<i>Merritt,</i>	<i>Roblin,</i>	<i>Williams.—36.</i>

Lost

So it passed in the Negative.

Ordered—That the said Bill, as amended, be engrossed.Montreal aged Women's
Asylum Bill, read 2nd timeA Bill to incorporate the *Montreal Asylum* for aged and infirm
Women, was according to order, read a second time.*Ordered*—That the said Bill be engrossed.Montreal R. C. Orphan
Asylum Bill read 2nd time.A Bill to incorporate the Ladies of the *Roman Catholic* Orphan Asylum
of *Montreal*, was, according to order, read a second time.*Ordered*—That the said Bill be engrossed.

Bill to regulate appointment of Magistrates' Clerks read 2nd time.

A Bill to regulate the appointment of Clerks of Magistrate in Country
Parishes and Townships, in the late Province of *Lower Canada*, and to provide rules for their conduct, and that of Bailiffs, in certain cases, was, according to order, read a second time.Bill referred to select
Committee.On motion of Mr. *Boutillier*, seconded by the Honourable Mr. *Viger*,
Resolved—That the said Bill be referred to a Select Committee, composed of Mr. *Quesnel*, Mr. *Aylwin*, Mr. *Yule*, and Mr. *Taché*, to report thereon with all convenient speed; with power to send for persons, papers, and records.House in Committee on
Quebec Roads Ordinance.The Order of the day, for the House in Committee on the Ordinance of the Legislature of *Lower Canada*, passed in the 4th year of Her Majesty's Reign, intituled "*An Ordinance to provide for the improvement of certain Roads in the neighbourhood of, and leading to, the City of Quebec, and to raise a fund for that purpose,*" with a view to ascertain how far it is expedient to extend the provisions of the said Ordinance, to a certain road on the *North* side of the River *Saint Charles*, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Morris* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Morris*, reported that the Committee had come to a Resolution, which Resolution was again read at the Clerk's Table, and agreed to by the House, and is as followeth :—

Resolution reported.

Resolved—That it is expedient to extend the provisions of the Ordinance passed in the 4th year of Her Majesty's Reign, chapter 16, to a certain Road on the *North* side of the River *Saint Charles*, in the District of *Quebec*.

Resolution

Ordered—That Mr. *Black*, have leave to bring in a Bill to extend the provisions of an Ordinance therein mentioned, to a certain road on the *North* side of the River *Saint Charles*, in the District of *Quebec*.

Bill to extend provisions of Quebec Road Ordinance brought in.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time.

Ordered—That the said Bill be read a second time on *Monday* next.

The Order of the day, for taking into consideration the amendments made by the Legislative Council to the Bill intituled "*An Act to enable the Ministers of all denominations of Christians to solemnize marriage, under certain restrictions,*" being read,

Amendments of Leg. Council Marriage Bill, taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth :—

IN THE TITLE :

Line 1—After "to" expunge the remainder, and insert "provide for the solemnization of Marriage between certain parties therein mentioned."

Amendments.

IN THE BILL :

Line 1—After "whereas" expunge the remainder of the Bill, and insert "religious scruples are entertained by certain of Her Majesty's subjects, inhabitants of this Province, not belonging to any of the Churches or religious Denominations, the Ministers or Clergy of which are now allowed by law to solemnize matrimony, respecting the solemnization of that rite by the said Ministers or Clergy; and whereas it is expedient to provide means for the lawful contracting of matrimony by such persons, and others who may choose to take advantage of such provision, and to secure the proper and safe registration of marriages so solemnized; Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of *Canada*, constituted and assembled by virtue of, and under the authority of, an Act passed in the Parliament of the United Kingdom of *Great Britain* and *Ireland*, intituled "*An Act to Re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada,*" and it is hereby enacted, by the authority of the same, that in any case of marriage intended to be contracted, it shall and may be lawful for one of the parties, intending so to contract matrimony, to apply to any one of Her Majesty's Justices of the Peace, resident in the County in which such marriage is intended to be solemnized, which said Justice is authorized and required upon such application and upon receipt of

currency, to put up, in at least one public place of common resort in the said County, and in the same Township wherein one of the parties shall reside, a notice in the form stated in the Schedule to this Act annexed, marked A, and also to transmit to the Registrar of the County in which such marriage shall be intended to be solemnized, under the hand of the said Justice of the Peace, a true copy of such notice, which notice and the certificate of the Justice of the Peace hereinafter

Amendments

mentioned, shall be entered at length in a Book to be kept by the Registrar for that purpose.

II. "And be it enacted, that after the said notice shall have been so publicly exhibited for the space of twenty one days, it shall and may be lawful for the said Justice of the Peace, and he is hereby required, upon receipt of _____ currency, to transmit to the Registrar of the County, a certificate that the notice aforesaid has been so exhibited, according to the form contained in the Schedule hereunto annexed, marked B., upon the receipt of which, the said Registrar shall make in his said book, immediately under the entry of such notice, the entry of the publication thereof, according to the said Schedule B., and, further, a certificate under his hand according to the form in the Schedule to this Act annexed, marked C.

III. "And be it enacted, that upon the completion of such several entries, or upon production of a marriage license lawfully issued, it shall and may be lawful for the parties mentioned in such notice, or such license, at the County Register Office, and in the presence of the Registrar or his Deputy, and of two or more credible witnesses, to make, each of them, the following declaration: "I do solemnly declare, that I do not know of any lawful impediment why I, A. B., may not be joined in matrimony to C. D.; and each of the said parties shall thereupon say to the other, I call upon these persons here present to witness that I, A. B., do take thee, C. D., to be my wedded wife" (or husband, as the case may be;) and the Registrar shall immediately thereupon enter a certificate in his said Book, to be signed by himself, the contracting parties, and witnesses, in the form of the Schedule to this Act annexed, marked D., after which the said parties shall be legally considered married to each other, as effectually as if the said marriage had been solemnized according to any form now allowed by law, or by any person now allowed to solemnize marriages, and that a certified copy of the entry in the Registrar's Book in the form of the said Schedule, marked D., shall be held to be *prima facie* evidence of such marriage, in all Courts and legal proceedings whatsoever.

IV. "And be it enacted, that the parties who shall so contract matrimony may, if it please them, cause the marriage ceremony to be solemnized by any Minister or other person, according to such rites and forms as they shall choose, and that so performing the said ceremony shall not subject the person performing it, to any pain or penalty, any law or usage in the Province to the contrary thereof in any wise notwithstanding.

V. "And be it enacted, that any person whose consent shall or may be necessary to any such marriage, or who shall or may know any legal impediment to such marriage, may, at any time before such marriage, upon application to the County Registrar, cause to be entered in the Book aforesaid, the *caveat* of such person (in the form of the Schedule to this Act annexed, marked E.) forbidding such marriage, and stating the grounds upon which the said marriage is forbidden, upon which entry, if before or upon the day appointed for such marriage, the parties so intending to contract matrimony or either of them, shall confess and admit the facts stated in the said *caveat*, and if the said facts form a legal impediment to the said Marriage, the said Marriage shall not be solemnized.

VI. "And be it enacted, that if either of the said parties intending to contract matrimony, shall wilfully and fraudulently deny the existence of any such impediment to such Marriage, the said Marriage shall be void, and the person making such denial shall be subject to the pains and penalties of wilful and corrupt perjury.

VII. "And be it enacted, that every person who shall knowingly or wilfully make any false declaration, or sign any false certificate, required

by this Act, for the purpose of procuring any Marriage, and every person who shall falsely represent any impediment to exist to such Marriage in any such *caveat*, or who shall falsely represent himself or herself to be a person whose consent to such Marriage is required by law, shall be subject to the pains and penalties of wilful and corrupt perjury. Amendments.

VIII. "And be it enacted, that every person who, after the passing of this Act, shall knowingly or wilfully solemnize any marriage unlawfully, shall be guilty of felony.

IX. "And be it enacted, that every prosecution under this Act, shall be commenced within three years after the offence committed.

X. "And be it enacted, that before making any such first entry as aforesaid, the Registrar of the County aforesaid, shall be entitled to demand and receive, from the party requiring the same, the sum of currency, and no more, which shall be his sole fee for such entry, as well as all subsequent entries, certificate of Marriage, or a copy thereof, to the parties contracting such Marriage, and shall also be entitled to demand and receive, from any person requiring a *caveat* against any such Marriage, before the same is entered, the sum of currency, and no more.

XI. "And be it enacted, that this Act shall be in force and extend only to that part of the Province of *Canada*, formerly known as *Upper Canada*."

SCHEDULE A.

Notice of Marriage,

To be contracted before the Registrar of the County of *Frontenac*, in the *Midland* District.

NOTICE is hereby given, that a Marriage is intended to be had, between the parties herein named and described, that is to say:—

Name.	Condition.	Rank or Profession.	Age.	Residence.	Length of Residence.	District and County in which the other party resides, when the parties dwell in different places.
James Smith, Martha Green.	Widower, Spinster.	Carpenter.	Of full Age, Minor.	Kingston, Cobourg.	Three years, One year.	{ County of Northumber- land. Newcastle Dis- trict.

Witness my hand, this *tenth* day of *February*, 1842.

JOSEPH SMITH, J. P.

(The several Columns in this Schedule to be filled up, as the case may be.)

SCHEDULE B.

Magistrate's Certificate,

To the Registrar of the County of *Frontenac*, in the *Midland* District.

I, *Joseph Smith*, one of Her Majesty's Justices of the Peace for the *Midland* District, do hereby certify that on the *tenth* day of *February*, a notice of the intended Marriage, between the Parties herein named and

Amendments.

described, was put up and publicly exhibited in the Township of *Kingston*, in the County of *Frontenac*, in the *Midland* District, and has been so exhibited for the space of twenty-one days, according to Law.

Name.	Condition.	Rank or Profession.	Age.	Residence.	Length of Residence.	District or County in which the other party resides, when the parties dwell in different places.
<i>James Smith, Widower,</i> <i>Martha Green, Spinster.</i>		<i>Carpenter.</i>	<i>Of full Age,</i> <i>Minor.</i>	<i>Kingston,</i> <i>Cobourg.</i>	<i>Three years,</i> <i>One year.</i>	{ <i>County of Northumberland.</i> <i>Newcastle District.</i>

Witness my hand this *fourth* day of *March*, 1842.

JOSEPH SMITH, J. P.

(The several Columns in this Schedule to be filled up, as the case may be.)

SCHEDULE C.

I, *John Cox*, Registrar for the County of *Frontenac*, in the *Midland* District, do hereby certify that there has been this day received by me, a certificate under the hand of *Joseph Smith*, Esq., one of Her Majesty's Justices of the Peace, for the said District, that the Notice of the intended Marriage of the Parties hereinbefore mentioned and described, was put up and publicly exhibited in the Township of *Kingston*, in the County of *Frontenac*, in the *Midland* District, and has been so exhibited for the space of twenty-one days, according to Law.

Date of notice entered, 10th *February*, 1842.

Date of certificate given, 4th *March*, 1842.

The Solemnization of the Marriage has not been forbidden, by any person authorized to forbid the same.

Witness my hand, this *fifth* day of *March*, one thousand eight hundred and *forty-two*.

JOHN COX, Registrar.

(The particulars in this Schedule to be filled up, as the case may be.)

SCHEDULE D.

Certificate of Marriage.

I, *John Cox*, Registrar for the County of *Frontenac*, in the *Midland* District, in the Province of Canada, do hereby certify, that this day, before me and the witnesses hereinafter named, the parties hereinafter named and described, were joined together in matrimony, according to the terms of an Act of this Province, intituled, "An Act to provide for the solemnization of Marriage between certain parties therein mentioned," that is to say: *James Smith, Widower, Carpenter, of full age*, residing in *Kingston*, in the County of *Frontenac*, in the *Midland* District, to *Martha Green, Spinster, a Minor*, residing in *Cobourg*, in the County of *Northumberland*, in the *Newcastle* District, in the presence of *Peter Hastings*, of the Town of

Kingston, aforesaid, Carpenter, and George Green, of Cobourg aforesaid, Butcher. Amendments.

This Marriage was } *JAMES SMITH,*
solemnized between us } *MARTHA GREEN.*

In presence of us } *PETER HASTINGS,*
} *GEORGE GREEN.*

Before me this *tenth* day of *March*, one thousand eight hundred and forty-two.

JOHN COX, Registrar.

(The words in Italics in this Schedule to be filled up, as the case may be.)

SCHEDULE E.

Form of Caveat.

*Province of Canada, Midland }
District, County of Frontenac. }*

To the Registrar for the said County of Frontenac.

Take notice by these presents that I, *Robert Green*, of *Port Hope*, in the County of *Durham*, in the *Newcastle* District, *Butcher*, do hereby forbid the intended Marriage between *James Smith*, *Widower, Carpenter, of full age*, of *Kingston*, in the County of *Frontenac* in the *Midland* District, and *Martha Green*, *Spinster, a Minor of Cobourg*, in the County of *Northumberland*, in the *Newcastle* District, because I, the said *Robert Green*, being (*the father of the said minor, have not consented to the said Marriage, or state such other cause as the case may be.*)

ROBERT GREEN.

Signed in the presence of { *WILLIAM ROBERTSON,*
} *FELIX O'NEILL,*
} *JAMES DOUGALL.*

All of Port Hope, Yeomen.

(The particulars in this Schedule to be filled up, as the case may be.)

Engrossed amendments.

Attest,

JAMES FITZGIBBON,

Clerk Leg. Council.

Mr. *Small* moved, seconded by Mr. *Hincks*,

That the said amendments be referred to a Committee of the whole House on *Monday*, the 6th of *September* next.

The question having been put upon the said motion, a division ensued, and it was carried in the affirmative.

Ordered—Accordingly.

Mr. *Small* moved, seconded by Mr. *Price*,

That three hundred copies of the said Bill and amendments be printed, for the use of the Members of this House.

Mr. *Johnston* moved in amendment, seconded by Mr. *Thompson*,

That the words “three hundred” be struck out of the said motion, and the words “one hundred and fifty” substituted.

The question having been put upon the motion of amendment, a division ensued, and it passed in the negative.

The question being then put on the main motion, a division also ensued, and it was carried in the affirmative.

Ordered—Accordingly.

Amendments referred to Com. of whole on 6th Sept.

Motion to print 300 copies of Bill and amendments.

Amendment moved.

Amendment lost.

Main motion carried

Bill to amend Quebec Corporation Ordinance read 2nd time.

A Bill to amend certain Ordinances therein mentioned, relative to the incorporation of the City of *Quebec*, was, according to order, read a second time.

Ordered—That the said Bill be referred to a Committee of the whole House on *Wednesday* next.

House in Committee on Savings Banks Bill.

The Order of the day for the House in Committee, on the Bill to encourage the establishment of, and to regulate Savings Banks, in this Province, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Aylwin*, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Bill reported amended.

And Mr. *Aylwin*, reported that the Committee had gone through the Bill and had made several amendments thereto, which amendments were again read at the Clerk's table, and agreed to by the House.

Bill to be engrossed.

Ordered— That the said Bill, as amended, be engrossed.

Message from Leg. Council.

A message from the Legislative Council, by *John Godfrey Spragge*, Esquire, Master in Chancery.

MR. SPEAKER,

Bills passed Leg. Council.

The Legislative Council have passed the following Bills, without any amendments :—

U. Canada District Council Bill.

“ *An Act to provide for the better internal Government of that part of this Province which formerly constituted Upper Canada, by the establishment of Local or Municipal Authorities therein.*”

Bill to establish Bank of U. C. in Toronto

“ *An Act to permit the business of the Bank of Upper Canada to be carried on in Toronto, as usual.*”

Haldimand Glass Works Bill

“ *An Act to establish a Company to be called “ The Haldimand Glass Works Company.”*”

And also—

Dalhousie District Loan Bill.

The Legislative Council have passed the Bill intituled “ *An Act to authorize a further loan to complete the building of the Court House and Gaol for the intended District of Dalhousie*” with several amendments to which they desire the concurrence of the Assembly.

And also—

LEGISLATIVE COUNCIL, TUESDAY, 24TH AUGUST, 1841.

Message, with Resolutions on an Education Commission.

Ordered—That the Master in Chancery do go down to the Legislative Assembly, and acquaint that House that the Legislative Council have adopted the accompanying Resolutions, on the subject of a Commission to prepare and report a system of general education ; and request that they will unite with this House, in the necessary measure for that object.

Resolutions of Legislative Council for appointment of a Commission on Education.

Resolved—That it is most important to the peace and welfare of the People of this Province, that an efficient and well organized system of General education be, without further loss of time, established upon just and liberal principles, by which all classes of Her Majesty's subjects, shall enjoy equal advantages ; and that the inhabitants of that part of the Province formerly called *Upper Canada*, be forthwith permitted to reap the benefits of that ample provision, which was made by His Majesty King GEORGE the Third, for the education of His subjects in that portion of the Province.

Resolved—That in Order to secure the assistance of those best qualified to devise a wise, efficient, and comprehensive plan, for the educa-

tion of the People, it is important to appoint a Commission, which shall fully represent the general interests of the Community, with power to sit during the recess, and report, through the Government, at the next Session of the Legislature, the result of their labours, and the draught of a Law to establish and endow Common Schools, and District Grammar Schools, as Seminaries preparatory to the education of pupils intended for *Upper Canada* College, or for any University hereafter established.

Attest,

JAMES FITZGIBBON,

Clerk Leg. Council.

And then be withdrew.

On motion of Mr. *Morris*, seconded by Mr. *Roblin*,

Ordered—That the Order of the day, for the House in Committee on the Report of the Special Committee to which was referred the Petition of *Henry Weeks*, of *Yonge*, District of *Johnstown*, be postponed until *Wednesday* next.

Order for House in Com. on Pet. of H. Weeks, postponed till Wednesday.

On motion of Mr. *Christie*, seconded by Mr. *McLean*,

Ordered—That the Orders of the day that have not been disposed of, be postponed until to-morrow.

Orders of day postponed.

Then on motion of Mr. *Quesnel*, seconded by the Honourable Mr.*Viger*,

The House adjourned.

Jovis, 26^o die Augusti ;

Anno 5^o *Victoriae Reginae, 1841.*

The following Petitions were severally brought up, and laid on the table :— *Petitions brought up.*

By Mr. *Aylwin*—The Petition of *P. M. Benson*, Teacher of *Mas-kinongé* in the County of *Saint Maurice*. *P. M. Benson.*

By Mr. *Prince*—The Petition of *James Read*, and others, freeholders of the *Western District*. *J. Read and others.*

By the Honourable Mr. *Viger*—The Petition of *Joseph Bolduc*, of the City of *Quebec*. *J. Bolduc.*

By Mr. *Cameron*—The Petition of *H. Graham*, and others, of the *Bathurst District*. *H. Graham & others.*

Pursuant to the Order of the day, the following Petitions were read : *Petitions read.*

Of *John Millar*, and others, inhabitants of *Saint Scholastique*, County of *The Lake of Two Mountains*, praying that an adequate provision may be made for the support of Teachers of Schools. *Of J. Millar & others.*

Of *Andrew Timins*, and others, inhabitants of the Seignory of *Argenteuil*, praying that adequate provision may be made for the support of Teachers of Schools. *Of A. Timins and others.*

Of *Archibald Campbell*, Senior, and others, of the Townships of *Grenville* and *Harrington*, County of *The Lake of Two Mountains*, praying that adequate provision may be made for the support of Teachers of Schools. *Of A. Campbell, sen. and others.*

Of *James Young*, and others, inhabitants of *Grenville*, County of *The Lake of Two Mountains*, praying that adequate provision may be made for the support of Teachers of Schools. *Of J. Young and others.*

- Of A Campbell, junr. and others. Of *Archibald Campbell*, Junior, and others, inhabitants of the Township of *Grenville*, County of *The Lake of Two Mountains*, praying that adequate provision may be made for the support of Teachers of Schools.
- Of Rev. A. Mann and others. Of the Reverend *Alexander Mann*, and others, of the Townships of *Fitzroy* and *Torbolton*, praying that the Scriptures may be used as a class book in Schools and Seminaries.
- Of F. Talfourde and others. Of *Froome Talfourde*, and others, inhabitants of the *Northern* Division of the County of *Kent*, praying that the said County may be formed into a new District.
- Of J. & A. MacNab. Of *John MacNab* and *Augus MacNab*, Executors of the Estate of the late *Duncan MacNab*, praying, as such Executors, that they may be fully remunerated for erecting a Bridge over the *Madawaska* River, according to contract.
- Of W. Coates. Of *William Coates*, Clerk in the House of Assembly of the late Province of *Upper Canada*, praying that the sum of £64 10s. may be granted him, to make his allowance for last year, £200.
- Petitions referred.*
Of R. Defries & others, to Committee on Contingencies. Ordered—That the Petition of *Robert Defries*, and others, Messengers and Servants of the late House of Assembly of *Upper Canada*, presented to the House on the 20th instant, be referred to the Special Committee on the Contingent Accounts and Expenses of the present Session.
- Of J. S. Baldwin and others, to select Com. On motion of the Honourable Mr. *Dunn*, seconded by Captain *Steele*,
Resolved—That the Petition of *J. S. Baldwin*, and others, citizens of *Toronto*, presented to the House on the 23d instant, be referred to a Select Committee, composed of Sir *Allan MacNab*, Mr. *Price*, Mr. *Small*, Mr. *Morin*, Mr. *Parent*, and Mr. *Taschereau*, to examine the contents thereof, and report thereon with all convenient speed, with power to send for persons, papers and records.
- Of Millar and others, A. Timins and others, A. Campbell and others, J. Young and others, and A. Campbell, junr. and others, to Committee on Common Schools. Ordered—That the petitions of *John Millar* and others, inhabitants of *St. Scholastique*, County of *The Lake of Two Mountains*, of *Andrew Timins*, and others, inhabitants of the Seignory of *Argeteuil*, of *Archibald Campbell Senior*, and others of the Townships of *Grenville* and *Harrington*, County of *The Lake of Two Mountains*, of *James Young*, and others, inhabitants of *Grenville*, County of *The Lake of Two Mountains*, and of *Archibald Campbell, Junior*, and others, inhabitants of the Township of *Grenville*, County of *The Lake of Two Mountains*; be referred to the select Committee to which was referred the Bill, to repeal certain Acts therein mentioned, and to make provision for the establishment and maintenance of Common Schools throughout this Province, and other references.
- Of J & A. MacNab, to Select Committee. On motion of Mr. *Cameron*, seconded by Mr. *Chesley*,
Resolved—That the Petition of *John MacNab* and *Angus MacNab*, executors of the estate of the late *Duncan MacNab*, be referred to a select Committee, composed of Mr. *Hincks* and Mr. *Dwand*, to examine the contents thereof, and to report thereon with all convenient speed, by Bill, or otherwise, with power to send for persons, papers, and records.
- Of F. Talfourde and others, to committee on Petition of H. Keating and others. Ordered—That the Petition of *Froome Talfourde*, and others, inhabitants of the *Northern* division of the County of *Kent*, be referred to the select Committee to which was referred the Petition of *Horace Keating*, and others.
- Committee on Petition of Montreal Board of Trade, respecting Channel of Lake St. Peter, report. The Honourable Mr. *Moffatt*, from the select Committee, to which was referred the Petition of the Board of Trade of *Montreal*, praying for a grant of money to improve the channel in Lake *St Peter*, presented to the House the report of the said Committee, which was again read at the Clerk's table,

For said Report See Appendix, (D. D.)

Ordered—That the said Report be referred to the Committee of the whole House, to take into consideration the message of His Excellency the Governor General, relative to public improvements, together with the documents accompanying the same.

Report referred to Committee of whole on Public Improvements.

Ordered—That the said Report be printed, for the use of the Members of the House.

Report to be printed.

Mr. *Merritt*, from the select Committee, appointed to examine into the prices paid, and the methods adopted, for the transit of produce, on the different communications within this Province; and to whom was referred the message of His Excellency the Governor General, in answer to the address of the House of the 14th of *July* last, on the subject of an address of the House of Assembly of *Upper Canada*, relating to the introduction of the products of the Province into the Ports of *Great Britain*, free of any duty;—with an instruction to take into consideration all matters relating to the agriculture and commerce of this Province, and power to report from time to time, presented to the House the second report of the said Committee, which was again read at the Clerk's table.

Committee on prices of transporting produce present 2nd report.

For the said Report See Appendix, (E. E.)

Ordered—That the said Report be referred to the Committee of the whole House, to take into consideration the message of His Excellency the Governor General, relative to public improvements, together with the documents accompanying the same.

Report referred to Committee of whole on Public Improvements.

Ordered—That 200 copies of the said Report be printed, for the use of the Members of this House.

200 copies to be printed.

Mr. *J. S. MacDonald*, from the select Committee to which was referred the Petition of *Malcolm McGillivray*, and others, Trustees of the *Presbyterian* Congregation of the Township of *Lochiel*, in the Eastern *District*, with power to Report by Bill or otherwise, presented to the House a Bill to empower certain Trustees therein mentioned, to convey a portion of a certain lot of land in the Township of *Lochiel*, in the Eastern *District*, to the Reverend *John McIsaac*, which was received, and read for the first time.

Committee on Petition of Mr. McGillivray and others, report Bill to authorize conveyance for lot of Land in Lochiel.

Ordered—That the said Bill be read a second time on *Monday* next.

Ordered—That Mr. *Chesley*, have leave to absent himself from this House, for the period of one week, from *Monday* next.

Leave of absence to Mr. Chesley.

Ordered—That Mr. *Parent*, have leave to bring in a Bill, to provide for the translation into the *French* language of the Laws of this Province, and for other purposes therein mentioned.

Bill for a French translation of the Laws brought in.

He accordingly presented the said Bill, to the House, and the same was received, and read for the first time.

Ordered—That the said Bill be read a second time on *Monday* next.

Ordered—That Mr. *Dunscomb*, have leave to bring in a Bill to extend the charter of the City Bank of *Montreal*, and to increase its Capital Stock.

Bill to increase stock of City Bank of Montreal brought in.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time.

Ordered—That the said Bill be read a second time, on *Friday*, the 3rd of *September* next.

Ordered—That Mr. *Holmes*, have leave to bring in a Bill to extend the charter of the Bank of *Montreal*, and to increase its Capital Stock.

Bill to extend charter of Montreal Bank brought in.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time.

Ordered—That the said Bill be read a second time on *Tuesday* next.

Bill to extend charter of Quebec Bank brought in.

Ordered—That Mr. *Black*, have leave to bring in a Bill to extend the charter of the *Quebec Bank*.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time.

Ordered—That the said Bill be read a second time on *Friday*, the 3rd *September* next.

Committee appointed to consider means of enabling lawyers to practise in both sections of Province.

On motion of Mr. *Baldwin*, seconded by Mr. *Barthe*,

Resolved—That it be referred to a Select Committee, to consider of the best means of putting the profession of the Law in all its branches, upon the same footing in both Sections of this Province, and for providing that those admitted to the practice of any branch of the profession in one Section, be admitted to the practice of the same branch in the other Section thereof; and that Mr. *Cameron* and Mr. *Prince*, and all the gentlemen of the long robe, who are members of this House, be of the said Committee.

Address to His Excellency for statements respecting Jesuits' Estates, ordered.

On motion of Mr. *Aylwin*, seconded by Mr. *Christie*,

Resolved—That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be laid before this House, a detailed statement of the Expenditure, by Her Majesty's Government, of all moneys, out of the Public Chest of the Province of *Lower Canada*, and which came into the Receiver General's hands as rents, issues and profits, of the Estates appertaining to the late Order of *Jesuits*, for the last five years; and praying for a statement of the authority under which such expenditure was made.

Ordered—That the said Address be presented to His Excellency by such members of this House, as are of the Honourable the Executive Council of this Province.

Bill to increase stock of Commercial Bank brought in

Ordered—That Mr. *Cartwright* have leave to bring in a Bill, to increase the Capital Stock of the Commercial Bank of the *Midland District*.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time.

Ordered—That the said Bill be read a second time, on *Tuesday* next.

Bill to increase stock of Upper Canada Bank brought in.

Ordered—That Mr. *Hincks* have leave to bring in a Bill, to increase the Capital Stock of the Bank of *Upper Canada*.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time.

Ordered—That the said Bill be read a second time, on *Tuesday* next.

Address to His Excellency for copy of Commission of Coll. of Customs, Coteau du Lac.

On motion of Mr. *Aylwin*, seconded by Mr. *Parent*,

Resolved—That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be laid before this House, a copy of the Commission of the present incumbent of the Office of Collector of Customs at the *Coteau du Lac*; and information as to the day of his acceptance of such office by the said Incumbent.

Ordered—That the said Address be presented to His Excellency by such members of this House, as are of the Honourable the Executive Council of this Province.

House in Committee on Message on Public Improvements.

The Order of the day, for the House in Committee to take into consideration the Message of His Excellency the Governor General, relative to Public Improvements, together with the documents accompanying the same, and other references, being read,

The House accordingly resolved itself into the said Committee.

Mr. *D. McDonald* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *D. McDonald* reported, that the Committee had made some progress, and had directed him to move for leave to sit again.

Progress reported.

Ordered—That the said Committee have leave to sit again *to-morrow*.

Mr. Speaker communicated to the House the following letter :—

CHIEF SECRETARY'S OFFICE, 26TH AUGUST, 1841.

SIR,— I am commanded by the Governor General to inform you, that it is His Excellency's intention to proceed to the Legislative Council Chamber to-morrow, at one o'clock, to assent, in Her Majesty's name, to a Bill passed by the Legislative Council and Assembly.

Speaker reports letter from His Excellency, stating that His Excellency with come down to the House to-morrow.

I have the honor to be,

Sir,

Your most obedient humble servant,

T. W. MURDOCH,

Chief Secretary.

The Honourable
The Speaker of the
House of Assembly. }

The Order of the day, for the House in Committee on the Bill to amend the Law regulating the election of Directors of the *Grand River Navigation Company*, being read,

House in Committee on Bill to amend Act for election of Grand River Navigation Directors.

The House accordingly resolved itself into the said Committee.

Mr. *Moore* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Moore* reported that the Committee had gone through the Bill, without making any amendment thereto, and the Report was again read at the Clerk's Table.

Bill reported without amendment.

Ordered—That the said Bill be engrossed.

Bill to be engrossed.

On motion of Mr. *Cameron*, seconded by Mr. *Roblin*,

Ordered—That the Order of the day, for the House in Committee on the Bill to regulate the inspection and measurement of Timber, Masts, Spars, Deals, Staves, and other articles of a like nature, in the Ports of *Quebec* and *Montreal*, and for other purposes relative to the same; be postponed till *Wednesday* next.

Order for House in Committee on Timber inspection Bill postponed till Wednesday.

The Order of the day, for the House in Committee to take into consideration that part of the Message of His Excellency the Governor General, transmitted to this House on the 14th of *July* last, which relates to the Despatch of Lord *John Russell*, on the subject of Emigration, and the raising of a fund to defray the expense of providing medical attendance for sick emigrants, and of enabling indigent persons of that description to reach their place of destination, and providing for their support until they can procure employment, being read,

House in Committee on Despatch on Emigration.

The House accordingly resolved itself into the said Committee.

Mr. *Foster* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Foster* reported, that the Committee had come to a Resolu-

Resolution reported.

tion, which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:—

Resolution.

Resolved—That it is expedient that the Legislature should adopt means for rendering available to the Province, the assistance offered by Her Majesty's Government, towards raising a fund to defray the expense of providing medical attendance for sick emigrants, of enabling indigent persons of that description to reach their place of destination, and of providing for their support until they can procure employment; payable in the manner suggested in the Despatch of Lord *John Russell*, dated 3rd of *May* last, and communicated to this House by His Excellency's Message of the 14th of *July* last.

Bill to create an Emigrant fund brought in.

Ordered—That Mr. *Parke* have leave to bring in a Bill, to create a fund for defraying the expense of enabling indigent emigrants to proceed to their place of destination, and of supporting them until they can procure employment.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Ordered—That the said Bill be read a second time on *Tuesday* next.

Motion to postpone Orders of day.

Mr. *Christie* moved, seconded by the *Honourable* Mr. *Viger*, That the orders of the day that have not been disposed of, be postponed until to-morrow.

Motion to adjourn till 7 P. M.

The Honourable Mr. *Moffatt* moved, seconded by Mr. *Morris*, That the House do adjourn until 7 o'clock, P. M., this day.

Carried.

The question having been put upon the said motion, a division ensued and it was carried in the affirmative.

The House adjourned accordingly, until 7 o'clock, P. M., this day,

Jovis, 26^o die Augusti;

7 o'clock P. M.

House in Committee on Welland Canal Stock purchase Bill.

The Order of the day, for the House in Committee on the Bill to authorise the stock held by private parties in the *Welland Canal* to be purchased on behalf of the Province, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Taché*, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Bill report without amendment.

And Mr. *Taché*, reported that the Committee had gone through the Bill, without making any amendment thereto, which he was directed to report to the House whenever it shall be pleased to receive the same.

Ordered—That the Report be received to-morrow.

House in Committee on U. C. District Courts Bill.

The Order of the day, for the House in Committee on the Bill to alter and amend the laws now in force in that part of this Province formerly *Upper Canada*, regulating the District Courts, being read.

The House accordingly resolved itself into the said Committee.

Mr. *Taschereau*, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Bill reported amended.

And Mr. *Taschereau*, reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House whenever it shall be pleased to receive the same.

Ordered—That the Report be received to-morrow.

The Order of the day, for the House in Committee on the Bill to repeal certain parts of an Act therein mentioned, and to provide for taking a periodical census of the inhabitants of this Province, and for obtaining the other statistical information therein mentioned; being read,

House in Committee
on periodical census
Bill.

The House accordingly resolved itself into the said Committee.

Mr. *Simpson*, took the chair of the Committee.

Several Members having retired,

Mr. Speaker resumed the chair,

The names of the Members present were taken down, as followeth:—

Mr. SPEAKER,

Mr. *Boswell*, Mr. Solicitor General *Day*, Mr. Attorney General *Dra-
per*, Mr. *Duncomb*, Mr. *Durand*, Mr. *Foster*, Mr. *Gilchrist*, Mr. *Halc*, Mr. *Hincks*, Mr. *J. S. MacDonald*, Mr. *Powell*, Mr. *Quesnel*, Mr. *Raymond*, Mr. *Simpson*, and the Honourable Mr. *Viger*.

No Quorum.

And at a quarter past 9 o'clock, at night, Mr. Speaker adjourned the House, for want of a quorum.

Veneris, 27^o die Augusti;

Anno 5^o Victoriae Reginae, 1841.

The following Petition was brought up and laid on the Table:—

By Mr. *Buchanan*—The Petition of *Edward O'Donnell*, and others, inhabitants of the City of *Toronto*.

Petition brought up.

E. O'Donnell and
others.

Pursuant to the Order of the day, the following Petitions were read:

Petitions read.

Of the Reverend *Hugh Urquhart*, and Elders of *St. John's Church, Cornwall*, praying that the Holy Scriptures may be used in all Schools in this Province receiving Public Grants.

Of Rev. H. Urquhart
and others.

Of *Michael Kelly*, and others, inhabitants of the Townships of *Roxborough* and *Finch*, praying that a sum of money may be granted for finishing the road from *Cornwall* to *Roxborough*.

Of M. Kelly and
others.

Of *Allan McDonnell*, of *St. Andrews*, Township of *Cornwall*, stating that his son, *Alexander McDonnell*, who was the only support of himself and family, died of hardships undergone in Her Majesty's service during the late Rebellion in *Lower Canada*, and praying relief.

Of A. McDonnell.

Of *Amos West*, of the Township of *West Gwillimbury* praying, that a road may be changed which passes through his land.

Of Amos West.

Petitions referred.

Ordered—That the Petition of *Lewis Lyman*, Commissioner of the *North American Colonial Association of Ireland*, and others, inhabitants of the County of *Beauharnois*, presented to the House on the 25th instant, be referred to the Committee of the whole House to take into consideration the Message of His Excellency the Governor in General, relative to Public Improvements, together with the documents accompanying the same, and other references.

Of L. Lyman, to
Committee of whole
on Public Improve-
ments.

On motion of Sir *Allan MacNab*, seconded by Mr. *Harmannus Smith*,

Resolved—That the Petition of *Amos West*, of the Township of *West Gwillimbury*, be referred to a Select Committee, composed of Captain *Steele* and Mr. *Roblin*, to examine the contents thereof, and to report thereon with all convenient speed, by Bill or otherwise, with power to send for persons, papers and records.

Of A. West to select
Committee.

Bill to increase stock of Gore Bank brought in.

Ordered—That Mr. *Thompson* have leave to bring in a Bill to amend the Charter, and increase the Capital Stock, of the *Gore* Bank.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time.

Ordered—That the said Bill be read a second time on *Tuesday* next.

House to meet at 10 to-morrow.

Ordered—That when this House doth adjourn, it will adjourn until to-morrow, at 10 o'clock, A. M.

Amendments to Dalhousie Loan Bill to be taken up to-morrow.

On motion of Mr. *Derbshire*, seconded by Captain *Steele*,

Ordered—That the amendments made by the Legislative Council to the Bill entitled "*An Act to authorize a further Loan to complete the building of the Court House and Gaol for the intended District of Dalhousie,*" be taken into consideration on to-morrow.

Committee on Currency and Banking present final Report.

Mr. *Hincks*, from the Consolidated Committee on Currency and Banking, with power to report from time to time, presented to the House the final Report of the said Committee, accompanied by an Address to Her Majesty, which were again read at the Clerk's table.

For the said Report, see Appendix (O.)

The Address is as followeth:—

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

MOST GRACIOUS SOVEREIGN,

Address accompanying Report.

We, Your Majesty's most dutiful and loyal subjects, the Legislative Assembly of *Canada* in Provincial Parliament assembled, beg leave most humbly to bring under the notice of Your Majesty a subject of the gravest importance to Your Majesty's faithful subjects in this Province. During the course of the present Session of Parliament we have learned with deep concern, that Your Majesty has been advised to grant a Royal Charter to a Company in the City of London, associated together for Banking purposes in the *British North American Colonies*, under the name and style of "*The Bank of British North America,*"—which Charter, besides conferring other privileges, authorises the said Company to issue Bank Notes within this Province.

It becomes our solemn and bounden duty, on behalf of the people of *Canada*, whose Representatives we are, to protest against such an interference with their constitutional rights.

We beg leave most humbly to represent to Your Majesty, that the Statute of the Imperial Parliament, by virtue of which we are now assembled, was intended to confer upon the people of *Canada* the power of managing their own local affairs; and we had ventured to hope, from the tenor of the recent Despatches from Your Majesty's Secretary of State for the Colonies to Your Majesty's Representative in this Province, that non-interference in those affairs would be the principle on which Your Majesty's Councils would thenceforth be governed, in reference to the affairs of this Colony.

We are unwilling to weaken the force of our present remonstrance, by pointing out to Your Majesty the inconvenience to which the Provincial Legislature may be exposed, and the loss which may be suffered by the inhabitants of this Province, owing to the exercise of the Royal Prerogative in this instance.

We respectfully and humbly pray Your Majesty's favourable consideration to this Address, believing that the constitutional rights of the Provincial Legislature, to control and manage the internal affairs of the Province, is a principle, to the maintenance of which the people of this important Colony are irrevocably pledged.

We beg to renew our assurances of entire devotion to Your Majesty's Person and Government.

Ordered—That the said report and address be referred to a Committee of the whole House, on *Friday* next.

Report and Address referred to Committee of whole on Friday.

Ordered—That the said report and address be printed for the use of the members of this House.

And ordered to be printed.

Mr. *Simpson*, from the Special Committee, to which was referred the Bill for the establishment of Anatomical Schools, and for the encouragement of Anatomical Sciences, reported that the Committee had gone through the Bill, and made several amendments thereto, which amendments were again read at the Clerk's table.

Committee on Anatomical School Bill report Bill amended.

Ordered—That the said Bill and report be referred to a Committee of the whole House on *Friday* next.

Bill referred to Com. of whole on Friday.

Mr. *Aylwin* moved, seconded by Mr. *Parent*,

That an humble address be presented to His Excellency the Governor General praying that His Excellency will be pleased to cause to be laid before this House, copies of all Despatches, Communications and Correspondence, between the Imperial Government and the Provincial Government, in relation to the union of the Provinces of *Lower* and *Upper Canada*.

Motion for Address to His Excellency for copy of correspondence on the Union.

The question having been put upon the said motion, a division ensued, and it passed in the negative.

Motion lost.

Mr. *Taché*, from the Committee of the whole House on the Bill, to authorise the stock held by private parties in the *Welland* Canal to be purchased on behalf of the Province, reported according to order, the Bill, without any amendment, and the report was again read at the Clerk's table.

Chairman of Committee of whole on Welland Canal Stock Bill reports the Bill.

Ordered—That the said Bill be engrossed.

Bill to be engrossed.

Mr. *Taschereau*, from the Committee of the whole House, on the Bill to alter and amend the Laws now in force in that part of this Province formerly *Upper Canada*, regulating the District Courts, reported, according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Chairman of Committee of whole on U. C. District Courts Bill, reports Bill with amendments.

Ordered—That the said Bill as amended, be engrossed.

Bill to be engrossed.

A Bill to extend to the Counties of *Haldimand* and *Simcoe*, respectively, certain privileges which they could not otherwise enjoy until they should finally be constituted districts, was according to order, read a second time.

Bill to extend certain privileges to Haldimand & Simcoe Districts, read 2nd time.

Ordered—That that the said Bill be referred to a Committee of the whole House on *Friday* next.

The order of the day, for the House in Committee on the Bill to repeal certain parts of an Act therein mentioned, and to provide for taking a periodical census of the Inhabitants of this Province, and for obtaining the other statistical information therein mentioned, being read,

House in Committee on Periodical Census Bill.

The House accordingly resolved itself into the said Committee.

Mr. *Simpson* took the chair of Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Simpson* reported, that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House whenever it shall be pleased to receive the same.

Bill reported amended.

Ordered—That the report be received to-morrow.

Order for House in Committee on Bill to abolish Imprisonment for Debt postponed.

The Order of the day, for the House in Committee on the Bill to abolish imprisonment for debt, in *Canada West*, except in certain cases, being read,

Ordered—That the said Order of the day be postponed, until *Wednesday* next.

Amendments of Legislative Council to Canada Fire Assurance Co. Bill taken up.

The Order of the day, for the taking into consideration the amendments made by the Legislative Council, to the Bill intituled "*An Act for incorporating the Canada Fire Assurance Company*" being read,

The House proceeded accordingly to take the said amendments into consideration.

And the said Amendments were read, and are as followeth :

Amendments.

Press 2, Line 2—After "eighty" insert "unless this Act shall be, in the mean time, repealed by this Legislature."

Press 2, Line 14—After "hold" strike out all the words to "Corporation" in the 15th line, inclusive, and insert in lieu thereof "hypothèque upon real estate."

Press 2, Line 28—Leave out "Bank Stock" and insert "the stock of any incorporated Bank."

Press 2, Line 34—After "stockholders" insert "and by a majority of the votes given at such meeting, as hereinafter provided."

Press 2, Line 40—Strike out from "Provided" to the word "Provided" in the 44th line, inclusive, and insert "and may, by such majority as aforesaid, elect and choose such directors and other officers, and vest in them such powers as to such majority shall seem meet and right for the purposes aforesaid ; but the Directors appointed, or to be appointed, before any such general meeting, shall be held to remain in office until Directors shall be elected at some general meeting, and such By-laws, Ordinances and Regulations, shall be made by the Directors already appointed, or who may hereafter be appointed, and shall be submitted to the Stockholders of the said Corporation, for their approval and confirmation, at a general meeting called for that purpose, to be held in the manner hereinafter mentioned, or at any general annual meeting."

Press 3, Lines 41 and 42—Strike out "Ordinances" and insert "Act."

Press 4—After Clause 3, bring in the following new Clause, A. :—

CLAUSE A.

And be it enacted, that the number of votes to which each stockholder or stockholders, copartnership, body politic and corporate, holding stock in the said corporation, shall be entitled, on every occasion when, in conformity to the provisions of this Act, votes of the members of the said Corporation are to be given, shall be in the proportion following, that is to say : for one share, and not more than two, one vote ; for every two shares above two, and not exceeding ten, one vote, making five votes for ten shares ; for every four shares above ten, and not exceeding thirty, one vote, making ten votes for thirty shares ; for every six shares above thirty, and not exceeding sixty, one vote, making sixteen votes for sixty shares ; and for every eight shares above sixty, and not exceeding one hundred, one vote, making twenty votes for one hundred shares ; but no person or persons, copartnership, body politic and corporate, being a member or members of the said Corporation, shall be entitled to a greater number than twenty votes."

Press 4, Line 2—After "the" strike out all the words to "no," in the 5th line, inclusively, and insert "said Corporation shall not commence or carry on the said business of insuring against loss by fire, until a sum equal to at least ten per cent on the amount of the whole capital stock of

one hundred thousand pounds, shall have been paid in and at the disposal of the said Corporation, nor until at least the sum of fifty thousand pounds of the said capital stock has been subscribed for; nor shall any policy of insurance be at any time opened or renewed by the said Corporation, unless a sum equal to at least ten per cent on their whole capital stock, as aforesaid, after paying all lawful demands on them, shall be then paid up and in their hands and at their disposal, as aforesaid, nor any."

Press 4, Line 10—Before "capital" insert "the whole."

Press 4, Line 10—Strike out "subscribed," and insert "as aforesaid."

Press 5, Line 1—After "names" insert "except in respect of any contract or contracts of assurance, made or entered into before the said Corporation commence operations, under the provisions of this Act."

Engrossed Amendments.

JAMES FITZGIBBON,

Clerk Leg. Council.

And the said amendments being again read, they were agreed to by the House. Amendments agreed to.

Ordered—That Mr. *Bluck* do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

The Order of the day, for taking into consideration the amendments made by the Legislative Council to the Bill intituled "*An Act to incorporate the Montreal Board of Trade*," being read, Amendments of Leg. Council to Montreal Board of Trade Bill taken up.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:—

Press 2, Line 14—Leave out "for ever." Amendments.

Press 2, Line 31—After "that" insert "the."

Press 3, Line 28—Leave out "day," and insert "Monday."

Press 3, Line 41—Leave out "day," and insert "Monday."

And the said amendments being again read, they were agreed to by the House. Amendments agreed to.

Ordered—That the Honourable Mr. *Moffatt*, do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

The Order of the day for taking into consideration the amendments made by the Legislative Council to the Bill intituled "*An Act to amend two certain Ordinances therein mentioned, relative to winter roads in that part of the Province formerly Lower Canada*," being read, Amendments to L. Canada Winter Roads Bill taken up.

The House proceeded accordingly to take the said amendments into consideration,

And the said amendments were read, and are as followeth:—

Amendments.

Press 1, line 15—Leave out all the words after "the" to the word "the" inclusive, in the 19th line.

Press 1, line 21—Leave out all the words after "requires" to "requires" inclusively, in the 32nd line.

PREAMBLE.

Line 2—For "Ordinances" read "Ordinance."

Line 6—Leave out "of the Legislative."

TITLE.

Line 1—Leave out "two certain Ordinances" and insert "a certain Ordinance."

- Amendments agreed to. And the said amendments being again read, they were agreed to by the House.
Ordered—That Mr. *Armstrong* do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.
- Order for House in Committee on Registration Bill postponed. The Order of the day, for the House in Committee on the Bill, to provide for the enregistration of persons entitled to vote at Elections of Members of the Legislative Assembly of this Province, and to make better provision for the holding of such Elections, being read,
Ordered—That the said Order of the day, be postponed until *Tuesday* next.
- House in Committee on Bill to allow N. Am. Col. Assn. of Ireland to loan moneys. The Order of the day, for the House in Committee on the Bill to authorize the *North American Colonial Association of Ireland* to loan moneys, and to prosecute certain Public Works in the County of *Beauharnois*, being read,
The House accordingly resolved itself into the said Committee.
Mr. *Hopkins* took the chair of the Committee, and after some time spent therein,
Mr. Speaker resumed the chair,
And Mr. *Hopkins* reported, that the Committee had made some progress, and had directed him to move for leave to sit again.
Ordered—That the said Committee have leave to sit again, this day.
- Progress reported. A message was brought by *Frederick Starr Jarvis*, Esquire, Gentleman Usher of the Black Rod.
- Message from Leg. Council summoning the House to meet His Excellency. MR. SPEAKER,
His Excellency the Governor General, desires the immediate attendance of this Honourable House, in the Legislative Council Chamber.
Accordingly Mr. Speaker, with the House, went to the Legislative Council Chamber.
And being returned,
Mr. Speaker reported, that, agreeable to the commands of His Excellency the Governor General, the House had attended His Excellency in the Legislative Council Chamber, where His Excellency was pleased to give, in Her Majesty's name, the Royal assent to the following public and private Bills:—
- House waits on His Excellency at bar of Legislative Council. "An Act to incorporate the *Upper Canada Academy*, under the name and style of "*Victoria College*."
- Speaker reports His Excellency assenting to the following Bills. "An Act to secure to, and confer upon certain inhabitants of this Province the Civil and Political rights of natural born British Subjects."
- Victoria College Bill. "An Act to repeal the laws now in force in that part of this Province formerly *Upper Canada*, for the recovery of small debts, and to make other provisions therefor."
- Naturalization Bill. "An Act to require Justices of the Peace to make returns of convictions and fines, and for other purposes therein mentioned."
- Bill for recovery of small Debts U. C. "An Act to amend an Act of the Legislature of Lower Canada, relative to the establishment of Mutual Fire Insurance Companies."
- Bill to require Return of Fine by Magistrates. "An Act to secure to, and confer upon *Jacques Alexandre Tailhades*, an inhabitant of this Province, the Civil and Political rights of a natural born British Subject."
- Bill to amend Mutual Insurance Act. of L. C. "An Act to grant authority to licensed Surveyors in that part of this Province called *Upper Canada*, to administer an Oath in certain cases, and to protect them while in discharge of their duty in surveying lands."
- Bill to naturalize J. A. Tailhades. "An Act to extend and define the limits of the *Town of Woodstock* in the District of *Brock*."
- Bill to enable Surveyors, in U. C. to administer an oath.
- Bill to define limits of Woodstock.

An Act to provide for the better internal Government of that part of this Province, which formerly constituted the Province of Upper Canada, by the establishment of Local or Municipal authorities therein.

U. C. District Councils Bill.

An engrossed Bill, the better to provide for the freedom of elections throughout this Province, and for other purposes therein mentioned, was read for the third time.

Election Bill passed.

Resolved—That the Bill do pass, and that the title be, "*An Act to provide for the freedom of elections throughout this Province, and for other purposes therein mentioned.*"

Ordered—That Mr. Baldwin do carry the said Bill to the Legislative Council, and desire their concurrence.

The Order of the day, for the House in Committee on the Bill to authorize the North American Colonial Association of Ireland, to loan moneys and to prosecute certain public Works in the County of Beauharnois, being read,

House in Committee on Bill to allow N. Am. Asso. of Ireland to loan moneys.

The House accordingly resolved itself into the said Committee.

Mr. Hopkins took the chair of Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Hopkins reported, that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House whenever it shall be pleased to receive the same.

Bill reported amended.

Ordered—That the report be received to-morrow.

The Order of the day, for the House in Committee on the Bill, to amend an Act of the Parliament of the late Province of Upper Canada, entitled "*An Act to authorize the establishment of Mutual Insurance Companies in the several Districts of this Province*" being read,

House in Committee on Bill to amend U. C. Mutual Insurance Act.

The House accordingly resolved itself into the said Committee.

Mr. Crane took the chair of Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Crane reported, that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table, and agreed to by the House.

Bill reported amended.

Ordered—That the said Bill as amended be engrossed.

Bill to be engrossed.

The Order of the day, for the House in Committee, to take into consideration the expediency of amending the Ordinance of the Special Council of the 4th VICTORIA, chapter 41, authorizing the formation of a Rail Road from Montreal to Coteau du Lac, being read,

Order for House in Committee on Bill to amend Montreal and Coteau du Lac Rail Road Ordinance, postponed.

Ordered—That the said Order of the day be postponed until Monday next.

The Order of the day, for the House in Committee, on the Bill to establish a Company by the name of the Sydenham Mountain Road Company, being read,

House in Committee on Sydenham Road Company Bill.

The House accordingly resolved itself into the said Committee.

Mr. Powell took the chair of Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Powell reported, that the Committee had made some progress, and directed him to move for leave to sit again.

Progress reported.

Ordered—That the said Committee have leave to sit again to-morrow.

The Order of the day, for the House in Committee on the Petition of divers Inhabitants of the Township of Oakland, of Samuel Garnsey and

House in Committee on Petition of S. Garnsey & others.

others, inhabitants of the Township of *Bayham*; and of *James Covernton* and others, Magistrates and inhabitants of the District of *Talbot* being read,

The House accordingly resolved itself into the said Committee.

Mr. *Burnet* took the chair of Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Resolution Reported.

And Mr. *Burnet* reported, that the Committee had come to a Resolution, which Resolution was again read at the Clerk's table, as followeth :

Resolved—That it is the opinion of this Committee, that it is expedient for the local convenience of the inhabitants of the Township of *Bayham*, to annex, by Legislative enactment, that Township to the County of *Norfolk*, in the District of *Talbot*.

Motion for question of concurrence.

Mr. *Powell* moved, seconded by Mr. *Durand*, that the question of concurrence be now put upon the said resolution,

Amendment moved, to refer Bill to Committee.

Mr. *Henry Smith* moved in amendment, seconded by Mr. *Johnston*, that all the words after "That" in the said motion be struck out, and the following substituted : " The Petition of *Samuel Garnsey* and others, inhabitants of the Township of *Bayham*, be referred to a select Committee, composed Mr. *Hincks*, Mr. *Durand*, Mr. *Parke*, and Mr. *Powell*, to examine the contents thereof, and to report thereon with all convenient speed ; with power to send for persons, papers, and records,"

Amendment carried.

The question having been put upon the motion of amendment, it was agreed to by the House,

Main motion carried

The question being then put upon the main motion, as amended, it was also agreed to by the House, and—

Resolved accordingly.

Message from Leg. Council.

A message from the Legislative Council, by *John Godfrey Spragge*, Esquire.

MR. SPEAKER,

Currency Bill sent down amended.

The Legislative Council have passed the Bill, entitled "*An Act to regulate the currency of this Province*," with several amendments, to which they desire the concurrence of the Assembly,

And then he withdrew.

House in Committee on Mr. Black's 4 Criminal Bills.

The Order of the day, for the House in Committee on the Bill for improving the administration of Criminal Justice in this Province ; the Bill for consolidating and amending the Laws in this Province relative to offences against the person ; the Bill for consolidating and amending the Laws in this Province relative to Larceny, and other offences connected therewith ; and the Bill for consolidating and amending the Laws in this Province, relative to malicious injuries to property, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Johnston* took the chair of Committee.

Several Members having retired,

Mr. Speaker resumed the chair.

The names of the members present were taken down, as followeth :

Mr. Speaker,

No Quorum.

Mr. *Armstrong*, Mr. *Baldwin*, Mr. *Black*, Mr. *Boutillier*, Mr. Solicitor General *Day*, Mr. *Durand*, Mr. *Hale*, Mr. *Holmes*, Mr. *Johnston*, Mr. *Morin*, Mr. *Powell*, Mr. *Raymond*, Mr. *Simpson*, Mr. *Harmanus Smith*, Mr. *Thompson*, the Honourable Mr. *Viger*, and Mr. *Watts*.

And at a quarter before 6 o'clock, P. M., Mr. Speaker adjourned the House for want of a quorum.

Sabbati, 28^o die Augusti;

Anno 5^o Victoriæ Reginae, 1841.

The following Petitions were severally brought up, and laid on the table: *Petitions brought up.*

By Captain *Steele*—The Petition of *Gerald Alley*, and others, inhabitants of *Orillia*, and adjacent parts. *G. Alley & others.*

By Mr. *Johnston*—The Petition of *Lewis Lyman*, of *Beauharnois*, Commissioner of the *North American Colonial Association of Ireland*. *L. Lyman.*

An engrossed Bill, to encourage the establishment of, and to regulate Savings Banks in this Province, was read for the third time. *Savings Banks Bill passed.*

Resolved—That the Bill do pass.

Ordered—That Mr. *Holmes* do carry the said Bill to the Legislative Council, and desire their concurrence.

An engrossed Bill, to incorporate the *Montreal Asylum* for aged and infirm women, was read for the third time. *Montreal aged Women's Asylum Bill passed.*

Resolved—That the Bill do pass.

Ordered—That the Honourable Mr. *Viger* do carry the said Bill to the Legislative Council, and desire their concurrence.

An engrossed Bill, to incorporate the Ladies of the *Roman Catholic Orphan Asylum of Montreal*, was read for the third time. *Montreal R. C. Orphan Asylum Bill passed.*

Resolved—That the Bill do pass.

Ordered—That Mr. *Quesnel* do carry the said Bill to the Legislative Council and desire their concurrence.

An engrossed Bill, to authorize the stock held by private parties in the *Welland Canal* to be purchased on behalf of the Province, was read for the third time. *Welland Canal Stock purchase Bill passed.*

Resolved—That the Bill do pass.

Ordered—That the Honourable Mr. Attorney General *Draper* do carry the said Bill to the Legislative Council, and desire their concurrence.

An engrossed Bill, to amend the Law regulating the election of Directors of the *Grand River Navigation Company*, was read for the third time. *Bill to Amend Act respecting Election of Grand River Directors passed.*

Resolved—That the Bill do pass.

Ordered—That the Honourable Mr. Attorney General *Draper* do carry the said Bill to the Legislative Council, and desire their concurrence.

Pursuant to the order of the day, the following Petitions were read: *Petitions read:*

Of *P. M. Benson*, Teacher of *Maskinongé*, in the County of *St. Maurice*, praying to be paid the arrears due him since the first of *May*, 1836. *Of P. M. Benson.*

Of *James Read*, and others, Freeholders of the *Western District*, praying that provision may be made for the improvement of the road and bridges, from *Amherstburgh* to *Chatham*, in the said District. *Of J. Read & others*

Of *Joseph Bolduc*, of the City of *Quebec*, praying to be remunerated for past services as Messenger of the Legislative Council, of the late Province of *Lower Canada*. *Of J. Bolduc.*

Of *H. Graham*, and others, of the *Bathurst District*, stating that there is no communication between the front and rear Townships of said District, and praying the consideration of the House to the same. *Of H. Graham and others.*

Petition of J. Bolduc referred to Committee of whole on Salary of Speakers, &c.

Ordered—That the Petition of *Joseph Bolduc*, of the City of *Quebec*, be referred to the Committee of the whole House, to take into consideration the subject of the Message of His Excellency the Governor General, relative to the Salaries of the Honourable the Speaker of the Legislative Council, and the Honourable the Speaker of this House, and the salaries of the Officers of both Houses.

House to go into Committee on Monday on Indexing Journals of U. & L. Canada.

On motion of Mr. *Parent*, seconded by the Honourable Mr. *Viger*.
Resolved—That this House will, on *Monday* next, resolve itself into a Committee of the whole House, to consider the expediency of causing a General Index to be made to the Journals of the Houses of Assembly, of the late Provinces of *Upper* and *Lower Canada*.

Amendments of L. Coun. to Currency Bill to be taken up on Monday.

On motion of Mr. *Holmes*, seconded by the Honourable Mr. *Moffatt*,
Ordered—That the amendments made by the Legislative Council to the Bill intituled "*An Act to regulate the currency of this Province*," be taken into consideration on *Monday* next.

Chairman of whole on Periodical Census Bill, reports amendments to Bill.

Mr. *Simpson*, from the Committee of the whole House, on the Bill to repeal certain parts of an Act therein mentioned, and to provide for taking a periodical census of the inhabitants of this Province, and for obtaining the other statistical information therein mentioned, reported, according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Bill to be engrossed.

Ordered—That the said Bill as amended, be engrossed.

Chairman of Committee of whole on Bill to allow N. Am. Col. Asso. of Ireland to loan moneys reports amendments.

Mr. *Hopkins*, from the Committee of the whole House, on the Bill to authorize the *North American Colonial Association of Ireland*, to loan Moneys and to prosecute certain Public Works in the County of *Beauharnois*, reported, according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Bill to be engrossed.

Ordered—That the said Bill as amended, be engrossed.

House in Committee on Mr Black's Criminal Bills.

The Order of the day, for the House in Committee on the Bill for improving the administration of Criminal Justice in this Province; the Bill for consolidating and amending the Laws in this Province relative to offences against the person; the Bill for consolidating and amending the Laws in this Province relative to Larceny, and other offences connected therewith; and the Bill for consolidating and amending the Laws in this Province relative to malicious injuries to property, being read.

The House accordingly resolved itself into the said Committee.

Mr. *Johnston* took the chair of Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Bills reported amended.

And Mr. *Johnston* reported that the Committee had gone through the said Bills, and had made several amendments thereto, which he was directed to report to the House whenever it shall be pleased to receive the same.

Ordered—That the report be received on *Monday* next.

House in Committee on 1st. Report of Committee on prices of transporting produce.

The Order of the day, for the House in Committee on the first Report of the select Committee, appointed to examine into the prices paid and the methods adopted, for the transit of products on the different communications within this Province, and to which was referred the Message of His Excellency the Governor General, in answer to the Address of this House of the 14th of *July* last, on the subject of an Address of the House

of Assembly of *Upper Canada*, relating to the introduction of the products of the Province into the Ports of *Great Britain* free of duty, being read, The House accordingly resolve itself into the said Committee.

Mr. *Kimber* took the chair of Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Kimber* reported, that the Committee had come to a Resolution, which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth :

Resolution reported.

Resolved—That this House fully concur in the opinions expressed in the several Addresses from the Assembly of the late Province of *Upper Canada*, praying for the admission of the products of *Canada* into the ports of *Great Britain* free from duty,—a measure which would not only place Her Majesty's subjects in this Province on equal terms with other portions of Her Majesty's Empire, but establish a fixed and certain policy, promote the mutual prosperity of both, and ensure their connexion for all time to come.

Resolution.

The Order of the day, for the House in Committee to take into consideration the expediency of amending the Ordinance of the Governor and Special Council of *Lower Canada*, 4th VICTORIA, Chapter 41, for altering and amending the Judicature of the said Province, in so far only as the said Ordinance relates to the "Territorial division of *Gaspé*" established by it, being read,

House in Committee on Amending Ordinance respecting Judicature of *Gaspé*.

The House accordingly resolved itself into the said Committee.

Mr. *Parke* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Parke* reported, that Committee had come to a Resolution, which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth :

Resolution Reported

Resolved—That it is expedient to alter and amend an Ordinance of the Governor and Special Council of the late Province of *Lower Canada*, passed in the 4th year of His Majesty's Reign, intituled "*An Ordinance to establish new Territorial Divisions of Lower Canada, and to alter and amend the Judicature, and provide for the better and more effective administration of Justice throughout this Province,*" in so far as relates to the Territorial division of *Gaspé*, by providing that the fourth division of the Court of Common Pleas, to be established under the said Ordinance, shall consist of *two* or more Justices, instead of *one* or more Justices of the Court of Common Pleas, as provided by the 7th clause or section of the said Ordinance.

Resolution.

The Order of the day, for the House in Committee on the Bill to confirm a certain arrangement entered into by the Magistrates of the Districts of *Gore* and *Wellington*, being read,

House in Committee on Bill to confirm arrangement in *Gore* and *Wellington* Districts.

The House accordingly resolved itself into the said Committee.

Mr. *Harmanus Smith* took the chair of Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Harmanus Smith* reported, that the Committee had gone through the Bill, without making any amendment thereto, and the report was again read at the Clerk's table.

Bill reported without amendment.

Ordered—That the said Bill be engrossed.

The Order of the day, for the House in Committee, to consider the expediency of repealing the Act of the late Province of *Lower Canada*, of the 2nd WILLIAM Fourth, Chapter 53, relating to the protection of co-

House in Committee on protection of Copy Rights.

py Rights, with a view of making new enactments on the same subject for the Province of *Canada*, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Christie* took the chair of Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Resolution reported.

And Mr. *Christie* reported, that the Committee had come to a Resolution, which Resolution was again read at the Clerk's table, and agreed to by the House and is as followeth :

Resolution

Resolved—That it is expedient to repeal the act of the late Province of *Lower Canada*, passed in the 2nd year of the Reign of His late Majesty King WILLIAM the Fourth, intituled “ *An Act for the protection of Copy Rights.*”

Resolution referred to Select Committee on Copy Rights Bill

Ordered—That the said Resolution be referred to the select Committee, to which was referred the Bill for the protection of Copy Rights, in that part of the Province formerly constituting *Upper Canada*.

Order for House in Committee on Bill for administration of Justice in Gaspé, postponed.

The Order of the day, for the House in Committee, on the Bill to make more ample provision than heretofore for the due Administration of Justice, in the Territorial Division of *Gaspé*, being read,

Ordered—That the said order of the day be postponed, until *Monday* next.

House in Committee on addressing His Excellency on revising L. C. Statutes.

The Order of the day, for the House in Committee, to take into consideration the expediency of presenting an humble Address to His Excellency the Governor General, praying His Excellency to appoint a Commission for the purpose of revising the Statutes and Ordinances of that part of this Province formerly called *Lower Canada*, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Foster* took the chair of Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Resolution reported.

And Mr. *Foster* reported, that the Committee had come to a Resolution, which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth :

Address to His Excellency to appoint Commission to revise Statutes of L. Canada, ordered.

Resolved—That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will appoint a Commission, for revising the statutes and Ordinances of that part of this Province formerly called *Lower Canada*, and for consolidating such of the said statutes and Ordinances as relate to the same subjects, as can be advantageously consolidated ; and assuring His Excellency that this House will make good such sum as may be recommended by His Excellency, as requisite for defraying the expenses incurred in the Execution of said Commission.

Ordered—That the said Address be presented to His Excellency by such members of this House as are of the Honourable the Executive Council of this Province.

House in Committee on paying losses by rebellion in L. Canada.

The Order of the day, for the House in Committee to take into consideration the expediency of making provision for the payment of all just claims, arising in that part of the Province formerly called *Lower Canada*, out of the late rebellion and invasions of that part of this Province, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Turcotte* took the chair of Committee, and after some time spent therein,

Mr. Speaker resumed the Chair.

And Mr. *Turcotte* reported, that the Committee had come to a Resolution, which he was directed to submit to the House whenever it shall be pleased to receive the same.

Resolution reported.

Ordered—That the Report be received on *Monday* next.

The Order of the day, for taking into consideration the amendments made by the Legislative Council, to the Bill intituled "*An Act to authorize a further loan to complete the building of the Court House and Gaol for the intended District of Dalhousie,*" being read,

Amendments of L. Council to Dalhousie District Loan Bill taken up.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:—

Press 1, Line 20—After the word "*Ottawa*" leave out all the words to "intended," in the 21st line, inclusively, and insert "intended to be included in the."

Amendments.

Press 1, Line 25—After "limits" leave out the words "of the said intended," and insert "intended to be included in the said new."

Press 1, Line 31—Leave out "*Gloucester, Osgoode.*"

Press 1, Line 34—Leave out "and the Townships of *Gloucester, and Osgoode.*"

Press 1, Line 35—After the word "Townships," leave out all the words to "intended," in the 36th line, inclusively, and insert "intended to be included in the said."

Press 1, Line 41—After the word "*Ottawa,*" leave out all the words to "intended," inclusively, in the 42d line, and insert "intended to be included in the said new."

Press 2 Line 1—After the word "Districts," leave out all the words to "*Osgoode,*" inclusively, in the 2d line.

Press 2, Line 6—Leave out all the words from "or" to "*Osgoode,*" inclusively, in the same line.

Press 2, Line 11—Leave out all the words after "*Ottawa*" to "*Osgoode,*" inclusively, in the 12th line.

Press 2, Line 28—After "advanced," insert "under the authority of the said Act."

Press 2, Line 33—Leave out all the words after "not," to "interest," inclusively, and insert "bear a greater interest than six per centum per annum."

Press 3, Line 16—After "Districts," leave out all the words to "*Osgoode,*" inclusively, in the same line.

PREAMBLE :

Line 3—After the word "loan," expunge the remainder of the Preamble, and insert the following words: "authorized by law for the purpose of building a Gaol and Court House therein, has been found insufficient for the purpose proposed; and whereas it is desirable that the means of completing the said Gaol and Court House may be provided without further delay."

Engrossed Amendments.

JAMES FITZGIBBON,

Clerk Leg. Council.

And the said amendments being again read, they were agreed to by the House.

Amendments agreed to.

Ordered—That Mr. *Derbshire* do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

The Order of the day, for the House in Committee, on the Bill to repeal a certain Act therein mentioned, and to exempt the members of Com-

- House in Committee on Bill to exempt Fireman from certain Duties. companies of Firemen, lawfully established, from serving as Jurors, and in the Militia, except in certain cases, being read,
The House accordingly resolved itself into the said Committee.
Mr. *Thorburn* took the chair of Committee, and after some time spent therein,
Mr. Speaker resumed the chair,
And Mr. *Thorburn* reported, that the Committee had gone through the Bill without making any amendment thereto, and the report was again read at the Clerk's table.
Ordered—That the said Bill be engrossed.
- Bill reported without amendment. The Order of the day, for the House in Committee on the Bill to established a Company, by the name of the " *Sydenham Mountain Road Company* " being read,
The House accordingly resolved itself into the said Committee.
Captain *Steele*, took the chair of Committee, and after some time spent therein,
Mr. Speaker resumed the chair,
And Captain *Steele* reported, that the Committee had gone through the Bill and had made several amendments thereto, which amendments were again read at the Clerk's table, and agreed to by the House.
Ordered—That the said Bill, as amended be engrossed.
- Bill to be engrossed. The Order of the day for the House in Committee on the Bill to regulate the admission of persons to the notarial profession in that part of the Province called *Lower Canada*, being read,
The House accordingly resolved itself into the said Committee.
Mr. *Quesnel*, took the chair of Committee, and after some time spent therein,
Mr. Speaker resumed the chair,
And Mr. *Quesnel* reported, that the Committee had made some progress, and had directed him to move for leave to sit again.
Ordered—That the said Committee have leave to sit again on *Saturday* next.
- House in Committee on Bill for admission of Notaries in Canada East. The Order of the day, for the House in Committee on the Bill to incorporate certain persons therein mentioned for the purpose of making a Macadamized Road from *Dundas Street*, to the River *Humber*, in the Township of *York*, being read,
The House accordingly resolved itself into the said Committee.
Mr. *Child*, took the chair of Committee, and after some time spent therein,
Mr. Speaker resumed the chair,
And Mr. *Child*, reported that the Committee had gone through the Bill, without making any amendments thereto, and the report was again read at the Clerk's table.
Ordered—That the said Bill be engrossed.
- Progress reported. On motion of Mr. *Baldwin*, seconded by Mr. *Quesnel*,
Ordered—That the Order of the day, for the House in Committee to consider the expediency of addressing His Excellency the Governor General, grant to a free pardon for all offences committed during the late political disturbances in *Upper* and *Lower Canada*, be postponed until *Monday* next, and that it be then the first order of the day.
The names of the members present were taken down as followeth :
Mr. Speaker,
- House in Committee on Dundas Street and Humber Road Bill. Mr. *Baldwin*, Mr. *Boutillier*, Mr. *Child*, Mr. *Christie*, Mr. *Durand*, Mr. *Hopkins*, Mr. *Kimber*, Mr. *McLean*, Mr. *Parke*, Mr. *Price*, Mr. *Quesnel*, Mr. *Roblin*, Mr. *Harmanus Smith*, Mr. *Steele*, Mr. *Taché*, Mr. *Thompson*, Mr. *Thorburn*, and the Honourable Mr. *Viger*.
And at a quarter before 4 o'clock, P. M., Mr. Speaker adjourned the House for want of a quorum.
- Bill reported. No Quorum.
- Bill to be engrossed.
- Order for House in Committee on Addressing H. E. to pardon political offenders, postponed.

Lunæ, 30^o die Augusti;

Anno 5^o Victoriae Reginae, 1841.

The following Petitions were severally brought up, and laid on the table :—

- | | |
|--|--|
| By Mr. <i>Prince</i> —The Petition of <i>Aeneas Bell</i> , Chief Messenger and House-keeper, of the late House of Assembly of <i>Upper Canada</i> . | <i>Petitions brought up.</i>
Æ. Bell. |
| By the Honourable Mr. <i>Viger</i> —The Petition of <i>Pierre Lacroix</i> , of <i>Quebec</i> . | P. Lacroix. |
| By Mr. <i>Aylwin</i> —The Petition of <i>E. Parent</i> , Esquire. | E. Parent, Esq. |
| By Mr. <i>Morin</i> —The Petition of <i>Joseph Edouard Turcotte</i> , Esq., Representative of the county of <i>St. Maurice</i> . | J. E. Turcotte, Esq. |
| By Mr. <i>Williams</i> —The Petition of <i>John Lister</i> , and <i>Bowman</i> and Company, Merchants. | J. Lister and others. |
| By Mr. <i>Morris</i> —The Petition of <i>John Parish</i> , and others, inhabitants of the township of <i>Yonge</i> ; and the Petition of <i>Stephen Scovie</i> , and others, inhabitants of the township of <i>Yonge</i> . | J. Parish and others.
S. Scovie and others. |
| By Mr. <i>Simpson</i> —The Petition of <i>Charles McPherson</i> , and others, of <i>St. Policarpe</i> , county of <i>Vaudreuil</i> . | C. McPherson and others. |

An engrossed Bill to amend an Act of the Parliament of the late Province of *Upper Canada*, intituled “*An Act to authorise the establishment of Mutual Insurance Companies in the several districts of this Province*,” was read for the third time.

Resolved—That the Bill do pass.

Ordered—That Mr. *Hincks* do carry the said Bill to the Legislative Council, and desire their concurrence.

An engrossed Bill to authorise the *North American Colonial Association of Ireland* to loan moneys, and to prosecute certain public works in the County of *Beauharnois*, was read for the third time.

Bill to authorize N. Am. Col. Assn. of Ireland to loan moneys, passed.

Resolved—That the Bill do pass, and that the Bill be, “*An Act to authorize the North American Colonial Association of Ireland to loan moneys, in the county of Beauharnois*.”

Ordered—That Mr. *Dunscomb* do carry the said Bill to the Legislative Council, and desire their concurrence.

An engrossed Bill to repeal certain parts of an Act therein mentioned, and to provide for taking a periodical census of the inhabitants of this Province, and for obtaining the other statistical information therein mentioned, was read for the third time.

Periodical Census Bill passed.

Resolved—That the Bill do pass.

Ordered—That Mr. Solicitor General *Day* do carry the said Bill to the Legislative Council, and desire their concurrence.

Pursuant to the Order of the day, the following Petitions were read :—

Of <i>Edward O'Donnell</i> , and others, inhabitants of the City of <i>Toronto</i> , praying that they may be allowed to vote by ballot, at their Municipal Elections.	<i>Petitions read.</i> Of E. O'Donnell and others.
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Of <i>Gerald Alley</i> , and others, inhabitants of <i>Orillia</i> , and adjacent parts, praying that the Sacred Scriptures may be taught as a class book, in all the Seminaries and Schools throughout the Province.	Of G. Alley and others.
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Of <i>Lewis Lyman</i> , of <i>Beauharnois</i> , Commissioner of the <i>North American Colonial Association of Ireland</i> , praying to be Naturalized.	Of L. Lyman
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Com. to search Journals of Legislative Council on Bill to prevent failure of Justice in late Elections, report.

Sir *Allan MacNab*, from the Select Committee, appointed to search the Journals of the Honourable the Legislative Council, as to what proceedings are therein, with relation to the Bill sent up from this House to that Honourable Body, intituled "*An Act for preventing any failure of Justice in respect of complaints of undue Elections or Returns of Members of the Legislative Assembly of this Province at the last general Election,*" and to make Report thereof to this House, reported that they had inspected the said Journals, accordingly, and taken copies of the proceedings of their Honours thereupon, and the Report was received and read, as followeth:—

Report.

Your Committee, in obedience to Your Honourable House, proceeded to the office of the Clerk of the Honourable the Legislative Council, and having searched the Journals of that Honourable House, beg leave to report, as follows:—

Tuesday, 20th July, 1841.

"A Message was brought from the Legislative Assembly, by Sir *Allan Napier MacNab*, and others, with a Bill entitled '*An Act for preventing any failure of Justice in respect of complaints of Undue Elections or Returns of Members of the Legislative Assembly of this Province, at the last General Election,*' to which they desire the concurrence of this House.

"The said Bill was read for the first time.

"*Ordered*—That fifty copies of the said Bill be printed for the use of members.

"*Ordered*—That the last mentioned Bill be read a second time on *Thursday* next.

Wednesday, 21st July, 1841.

"The Honourable Mr. *Morris* moved, that it be

"*Resolved*—That a Message be sent to the Legislative Assembly, to request that they will be pleased to communicate to the Legislative Council, the evidence upon which they passed the Bill entitled '*An Act for preventing any failure of Justice in respect of complaints of undue Elections or Returns of Members of the Legislative Assembly of this Province, at the last General Election.*'

"The question of concurrence being put, the same was agreed to by the House, and it was

"*Ordered*—That the Master in Chancery do carry the said Message to the Legislative Assembly.

"The Master in Chancery sent to the Legislative Assembly, this day, to request that they will be pleased to communicate to this House the evidence upon which they passed the Bill intituled '*An Act for preventing any failure of Justice in respect of complaints of undue Elections or Returns of Members of the Legislative Assembly of this Province at the last General Election,*' acquainted the House that the Assembly return for answer that they will send an answer by messengers of their own.

Thursday, 22d July, 1841.

"The Order of the day being read, for reading a second time the Bill intituled '*An Act for preventing any failure of Justice in respect of complaints of undue Elections or Returns of Members of the Legislative Assembly of this Province at the last General Election,*' it was

"*Ordered*—That the same be discharged.

Wednesday, 4th August, 1841.

"A message was brought from the Legislative Council, by Sir *Allan Napier MacNab*, and others, as follows:—

(See the Message from the Assembly.)

“ The said Message was then read by the Speaker, and afterwards by the Clerk, together with the Schedule of the documents accompanying it. Report.

“ It was moved;

“ That a Select Committee of five members be appointed, for the purpose of considering the Message and Documents received this day from the Legislative Assembly, and to report to this House whether the evidence offered by the Assembly be sufficient to sustain the preamble of the Bill intitled ‘ *An Act for preventing any failure of Justice in respect of complaints of undue Elections or Returns of Members of the Legislative Assembly of this Province at the last General Election.*’

“ The question was put thereupon, it was

“ Resolved—In the Affirmative.

“ Ordered—That the Committee be, the Honourable Messieurs *De-Blaquiere, Morris, Pemberton, John Fraser* and *Bruneau*, to meet and adjourn as they please.

“ The Honourable Mr. *Sullivan* gave notice that he would move, on *Friday* next, that the last mentioned Bill be restored to the Order of the day.

“ It was moved that the Select Committee appointed this day be discharged.

“ The question was put thereupon, it was

“ Resolved—in the Affirmative.

Friday, 6th August, 1841.

“ Pursuant to notice, the Honourable Mr. *Sullivan* moved that the Bill intitled ‘ *An Act for preventing any failure of Justice in respect of complaints of undue Elections or Returns of Members of the Legislative Assembly of this Province at the last General Election,*’ be restored to the Order of the day, and that the said Bill be read a second time on *Monday* next.

“ The question of concurrence being put, the same was carried in the Affirmative, and it was

Ordered accordingly.

Tuesday, 10th August, 1841.

“ The Order of the day being read, for a second reading of the Bill entitled ‘ *An Act for preventing any failure of Justice in respect of complaints of undue Elections or Returns of Members of the Legislative Assembly of this Province at the last General Election,*’ it was

Ordered—That the same be discharged.

Ordered—That the last mentioned Bill, and the Message from the Legislative Assembly communicated to this House on the 30th ultimo, be referred to a Select Committee, to report thereon for the information of this House; and that it be an instruction to such Committee to examine and inquire if there is any, and what evidence in the said Message, or the documents which accompany the same, in proof of the Preamble of the Bill intitled ‘ *An Act for preventing any failure of Justice in respect of complaints of undue Elections or Returns of Members of the Legislative Assembly of this Province at the last General Election.*’

Ordered—That the Honourable Messieurs *De Blaquiere, Pemberton, Alexander Fraser, Bruneau* and *McDonald*, do compose such Committee.

Friday, 20th August, 1841.

“ The Honourable Mr. *Pemberton*, from the Select Committee, to whom was referred the Bill intitled ‘ *An Act to prevent any failure of Justice in respect of complaints of undue Elections or Returns of Members of the Legislative Assembly of this Province at the last General Election,*’

Report.

together with the evidence transmitted by the Assembly on which the same was founded, presented their Report.

“ *Ordered*—That it be received, and—

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

COMMITTEE ROOM, LEGISLATIVE ASSEMBLY, }
18TH AUGUST, 1841. }

“ The select Committee to whom was referred the Bill intitled “ *An Act for preventing any failure of Justice in respect of complaints of undue elections or returns of Members of the Legislative Assembly of this Province at the last General Election,*” together with the Message and Documents received from the Legislative Assembly on the 4th instant, containing the evidence upon which the said Bill was founded, beg leave to report :—

“ That they have, in accordance with the instruction received from your Honourable House, taken the said Message and Documents into their attentive consideration, and that they do not find in the said Message and Documents any evidence in support of the preamble of the said Bill.

“ All which is respectfully submitted,

(Signed)

G. PEMBERTON,

Chairman.

Ordered—That the last mentioned Bill, and the Report thereon, be committed to a Committee of the whole House.

Ordered—That the House be put into a Committee upon the said Bill and Report, on *Monday* next.

Monday, 23d August, 1841.

“ The Order of the day being read for putting the House into a Committee of the whole upon the Bill, intitled “ *An Act for preventing any failure of Justice in respect of complaints of undue elections or returns of Members of the Legislative Assembly of this Province at the last General Election,*” and the Report of the select Committee thereon, it was.

Ordered—That the same be discharged, and that the said Bill and Report do stand upon the orders of the day for to-morrow.

Tuesday, 24th August, 1841.

“ The Order of the day being read, for the House to be put into a Committee of the whole upon the Bill intitled “ *An Act for preventing any failure of justice in respect of complaints of undue elections or returns of Members of the Legislative Assembly of this Province at the last general Election,*” together with the Report of the select Committee thereon, it was

Ordered—That the same be discharged, and that the said Bill and Report do stand upon the Orders of the day for to-morrow, immediately below the third readings of the Bills.

Wednesday, 25th August, 1841.

“ The House according to order was adjourned, during pleasure, and was put into a Committee of the whole House on the Bill intitled “ *An Act for preventing any failure of justice in respect of complaints of undue elections or returns of Members of the Legislative Assembly of this Province at the last general election,*” and the Report thereon.

“ After some time, the House was resumed, and the Honourable Mr. *Bruneau*, reported that the Committee had risen.”

Ordered—That the Petitions of divers inhabitants of the Township of *Oakland*, presented to the House on the 22nd of *June* last, and of *James Covernton*, and others, Magistrates and inhabitants of the District of *Talbot*, presented to the House on the 5th of *July* last, be referred to the select

Petitions of divers inhabitants of *Oakland* and *J. Covernton* and others, referred to Committee on Petition of *S. Garnsey*.

Committee, to which was referred the Petition of *Samuel Garnsey*, and others, inhabitants of the Township of *Bayham*.

Ordered—That Captain *Steele*, and Mr. *Chill*, be added to the said Committee.

Members added.

On motion of Mr. *Johnston*, seconded by Mr. *Powell*.

Resolved—That an humble address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be laid before this House, copies of any Reports from any Engineers, or other persons, employed under the Board of Works or otherwise, in relation to a survey of the *Ottawa River*, and the improvements thereon contemplated in His Excellency's Message of the 26th instant; the time occupied in such surveys; the expenses attending such surveys; and the several localities upon which it is proposed to make the improvements alluded to in such Message.

Address to His Excellency for Documents respecting Survey of *Ottawa*, ordered.

Ordered—That the said address be presented to His Excellency by such Members of this House, as are of the Honourable the Executive Council of this Province.

On motion of Mr. Solicitor General *Day*, seconded by Mr. *Prince*.

Resolved—That seven Members of the select Committee to which was referred the Bill to repeal certain Acts therein mentioned, and to make provision for the establishment and maintenance of Common Schools throughout this Province, and other references, be declared and be a Quorum for all the purposes of the said References.

Seven members of Committee on schools declared a quorum.

Mr. *Cameron*, from the select Committee to which was referred the Petition of *R. E. Vidal*, and others, inhabitants of the Township of *Sarnia*, with power to report by Bill or otherwise, presented to the House a Bill to empower *George Durand*, Esquire, to construct a Canal for Mill purposes in the Township of *Sarnia*, which was received and read for the first time.

Committee on Petition of *R. E. Vidal* and others Report Bill to authorize *G. Durand* to construct a Mill Dam.

Ordered—That the said Bill be read a second time, on *Wednesday* next,

Ordered—That the Honourable Mr. *Viger*, be added to the select Committee, to which was referred the Bill to repeal certain Acts therein mentioned, and to make provision for the establishment and maintenance of Common Schools throughout this Province, and other references.

Mr. *Viger* added to Committee on Schools

Ordered—That Mr. *Hale*, have leave to absent himself from this House until the 15th of *September* next, upon public business.

Leave of absence to Mr. *Hale*.

Ordered—That Mr. *Prince*, have leave to bring in a Bill to establish a Court in this Province, for the trial of impeachments.

Bill to establish Court of Impeachments brought in.

He accordingly presented the said Bill to the House and the same was received and read for the first time.

Ordered—That the said Bill be read a second time on *Friday* next.

Ordered—That Mr. *Burnet*, have leave to bring in a Bill, to extend the benefits of a certain Act of the Legislature of *Upper Canada*, to creditors resident in *Lower Canada*.

L. C. Creditors relief Bill brought in.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time.

Ordered—That the said Bill be read a second time on *Wednesday* next.

Mr. *Johnston*, from the Committee of the whole House, on the Bill for improving the administration of Criminal Justice in this Province; the Bill for consolidating and amending the laws in this Province relative to

Chairman of Com. of whole on Mr. *Black's* Criminal Bills reports amendments.

offences against the person ; and the Bill for consolidating and amending the laws relative to larceny, and other offences connected therewith ; and the Bill for consolidating and amending the laws in this Province relative to malicious injuries to property ; reported, according to order, the amendments made by the Committee to the said Bills, which amendments were again read at the Clerk's Table.

Ordered—That the question of concurrence be now separately put, upon the amendments made to to the Bill for improving the administration of Criminal Justice in this Province.

Amendments to Criminal Justice Bill agreed to.

And the said amendments being again severally read, and the question of concurrence being separately put upon each, they were agreed to by the House.

Last clause of Bill amended.

Ordered—That the words “ on the 1st day of *January*, one thousand eight hundred and forty two,” in the last clause of the said Bill, be struck out, and the following substituted, in lieu thereof ;—“ from and after the end of the next Session of the Provincial Parliament.”

14th clause expunged.

Ordered—That the 44th clause of the said Bill, respecting the competency of Witnesses in prosecutions for forgery, be expunged.

Bill to be engrossed.

Ordered—That the said Bill as amended be engrossed.

Ordered—That the question of concurrence be now separately put upon the amendments, made to the Bill for consolidating and amending the laws in this Province, relative to larceny, and other offences connected therewith.

Amendments to Larceny Bill agreed to.

And the said amendments being again severally read, and the question of concurrence being separately put upon each, they were agreed to by the House.

1st clause of Bill amended.

Ordered—That the words “ on the 1st day of *January*, one thousand eight hundred and forty two,” in the 1st clause of the said Bill, be struck out, and the following words substituted, in lieu thereof:—“ from and after the end of the next Session of the Provincial Parliament.”

Bill to be engrossed

Ordered—That the said Bill, as amended be engrossed.

Ordered—That the question of concurrence be now put upon the amendment, made to the Bill for consolidating and amending the Laws in this Province, relative to malicious injuries to property.

Amendment to Bill respecting malicious injury to property agreed to

And the said amendment being again read, and the question of concurrence being put thereon, it was agreed to by the House.

1st clause of Bill amended.

Ordered—That the words “ on the 1st day of *January*, one thousand eight hundred and forty two,” in the first clause of the said Bill, be struck out, and the following words substituted, in lieu thereof: “ from and after the end of the next Session of the Provincial Parliament.”

Bill to be engrossed.

Ordered—That the said Bill, as amended, be engrossed.

Ordered—That the question of concurrence be now separately put upon the said amendments, made to the Bill for consolidating and amending the Laws in this Province relative to offences against the Person.

Amendments to Bill respecting offences against the person agreed to

And the said amendments being again severally read, and the question of concurrence being separately put upon each, they were agreed to by the House.

1st clause amended.

Ordered—That the words “ on the 1st day of *January*, one thousand eight hundred and forty two,” in the first clause of the said Bill, be struck out, and the following words substituted, in lieu thereof: “ from and after the end of the next Session of the Provincial Parliament.”

Bill to be engrossed

Ordered—That the said Bill, as amended, be engrossed.

Chairman of Committee of whole on payment of losses

Mr. *Turcotte*, from the Committee of the whole House, to take into consideration the expediency of making provision for the payment of all

just claims arising in that part of the Province formerly called *Lower Canada*, out of the late Rebellion and Invasions of that part of this Province, reported, according to Order, the Resolution of the said Committee; which Resolution was again read at the Clerk's Table, and agreed to by the House, and is as followeth:—

Resolved—That it is expedient to make provision and provide for the payment of all just claims, arising in that part of this Province formerly called *Lower Canada*, out of the late Insurrections and Invasions in that portion of this Province, not to exceed the sum of twenty thousand pounds, currency, to be raised by Debentures.

Ordered—That Mr. Solicitor General *Day* have leave to bring in a Bill, to ascertain and provide for the payment of all just claims arising in that part part of the Province formerly called *Lower Canada*, out of the late Rebellion and Invasions in that portion of this Province.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Ordered—That the said Bill be read a second time on *Thursday* next.

A Bill to erect the County of *Haldimand* into a separate District, by the name of the District of *Manchester*, was, according to Order, read a second time.

Ordered—That the said Bill be referred to a Committee of the whole House on *Monday* next.

The Order of the day, for the second reading of the Bill, to incorporate the College of *L'Assomption*, in the County of *Lienster*, being read,

Ordered—That the said Order of the day be postponed until to-morrow.

The Order of the day, for the second reading of the Bill to render the Judge of Her Majesty's Court of Vice Admiralty ineligible to the Legislative Assembly of this Province, being read,

Ordered—That the further consideration of the said Bill be deferred.

A Bill to extend the provisions of an Ordinance therein mentioned, to a certain Road in the *North* side of the River *Saint Charles*, in the District of *Quebec*, was, according to Order, read a second time.

Ordered—That the said Bill be engrossed.

A Bill to provide for the translation into the *French* language of the laws of this Province, and for other purposes therein mentioned, was, according to order, read a second time.

Ordered—That the said Bill be engrossed.

A Bill to incorporate the *Quebec* Board of Trade, was, according to order, read a second time.

Ordered—That the said Bill be referred to a Committee of the whole House, on *Wednesday* next.

The Order of the day, for the second reading of the Bill to regulate the inspection of Pot and Pearl Ashes, being read,

Ordered—That the said Order of the day be postponed until to-morrow.

The Order of the day, for the House in Committee, to consider the expediency of addressing His Excellency, the Governor General, to grant a free pardon for all offences committed during the late political distur-

arising from rebellion in L. Canada reports Resolution.

Resolution.

Bill for payment of claims arising from rebellion in L. Canada brought in.

Bill to erect Haldimand into a separate District read 2nd time.

Order for 2nd reading L'Assomption College Bill postponed.

Order for 2nd reading Bill to render Vice Admiralty Judge ineligible, postponed.

Bill to extend a certain Ordinance to a road on North side of St. Charles, read 2nd time.
Bill to be engrossed.

Bill for a French translation of the Statutes, read 2nd time.

Bill to be engrossed.

Quebec Board of Trade Bill read 2nd time.

Order for 2nd reading of Pot and Pearl Ashes Inspection Bill postponed.

House in Com. on addressing His Exclty. to pardon political of-

fenders, and on petition of J. W. Woolsey.

bances in *Upper and Lower Canada*, and on the Petition of *J. W. Woolsey*, Esquire, and others, of *Quebec*, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Barthe* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Resolution reported.

And Mr. *Barthe* reported that the Committee had come to a Resolution, which Resolution was again read at the Clerk's table, and is as followeth :

Resolution.

Resolved—That it is the opinion of this Committee, that an humble Address be presented to His Excellency, the Governor General, as representing the Crown in this Province, praying the Exercise of the Royal Prerogative for granting a free pardon, indemnity, and oblivion of all crimes, offences, and misdemeanors, “*That the Royal mercy be extended to such of Her Majesty's misguided subjects as may be compatible with the safety of the Crown, and of this Province,*” connected with the late unhappy troubles in the late Provinces of *Upper and Lower Canada*, committed, or supposed to have been committed, within the last four years ; and of all attainders and outlawries during the same period, and of all sentences or judgments, from Civil or Military Courts, amounting to such attainders and outlawries ; most humbly assuring His Excellency that whenever it may please Her Most Gracious Majesty, through Her Representatives, and out of Her own free Will, pleasure, and mere motion, to transmit a Bill to that effect to the Provincial Legislature, the same will be received and accepted by the Legislative Assembly, with humble gratitude, and will tend still more to confirm Her Majesty's faithful subjects in this Province in their affection to their Sovereign, and to strengthen the connexion which happily exists between this Province and Her Majesty's Empire.

Motion to concur in resolution.

Mr. *Neilson* moved, seconded by Mr. *Baldwin*,

That this House doth concur with the Committee in the said Resolution.

Previous question moved.

The Honourable Mr. *Moffatt*, moved, seconded by Mr. Attorney General *Ogden*, the previous question, viz.

Shall the main question be now put ?

The House divided, and the names being called for, they were taken down, as followeth :

YEAS.

<i>Armstrong,</i>	<i>De Salaberry,</i>	<i>Morris,</i>	<i>Small,</i>
<i>Aylwin,</i>	<i>Dunn, Hon. J. H.</i>	<i>Neilson,</i>	<i>Smith, (Fron.)</i>
<i>Baldwin,</i>	<i>Durand,</i>	<i>Parent,</i>	<i>Smith, (Went.)</i>
<i>Barthe.</i>	<i>Dunlop,</i>	<i>Powell,</i>	<i>Steele,</i>
<i>Boutillier,</i>	<i>Hincks,</i>	<i>Price,</i>	<i>Taché,</i>
<i>Buchanan,</i>	<i>Hopkins,</i>	<i>Prince,</i>	<i>Taschereau,</i>
<i>Child,</i>	<i>Kimber,</i>	<i>Quesnel,</i>	<i>Thompson,</i>
<i>Christie,</i>	<i>McDonald, (Pres.)</i>	<i>Raymond,</i>	<i>Thorburn,</i>
<i>Cook,</i>	<i>Merritt,</i>	<i>Ruel,</i>	<i>Turcotte,</i>
<i>Daly, Hon. D.</i>	<i>Morin,</i>	<i>Simpson,</i>	<i>Viger, Hon. D. B.</i>

(40).

NOES.

<i>Burnet,</i>	<i>Hale,</i>	<i>McLean,</i>	<i>Roblin,</i>
<i>Cartwright,</i>	<i>Harrison, Hon. S. B.</i>	<i>Moffatt, Hon. G.</i>	<i>Sherwood,</i>
<i>Chesley,</i>	<i>Holmes,</i>	<i>Moore,</i>	<i>Watts,</i>
<i>Day, Hon. C. D.</i>	<i>Johnston,</i>	<i>Ogden, Hon. C. R.</i>	<i>Williams,</i>
<i>Draper, Hon. W. H.</i>	<i>McNab, Sir A. N.</i>	<i>Parke,</i>	<i>Woods,</i>
<i>Foster,</i>	<i>McDonald, (Glen.)</i>	<i>Robertson,</i>	<i>Yule.—25.</i>
<i>Gilchrist,</i>			

Question carried.

So it was carried in the Affirmative.

The question being then put upon the main motion,

A division again ensued, and the names being called for, they were taken down as followeth:—

YEAS.

<i>Arnstrong,</i>	<i>Dunn, Hon. J.H.</i>	<i>Powell,</i>	<i>Smith, (Went.)</i>
<i>Aylwin,</i>	<i>Durand,</i>	<i>Price,</i>	<i>Sherwood,</i>
<i>Baldwin,</i>	<i>Hincks,</i>	<i>Prince,</i>	<i>Steele,</i>
<i>Barthe,</i>	<i>Hopkins,</i>	<i>Quesnel,</i>	<i>Taché,</i>
<i>Boutillier,</i>	<i>Kimber,</i>	<i>Raymond,</i>	<i>Taschereau,</i>
<i>Buchanan,</i>	<i>McDonald, (Pres.)</i>	<i>Roblin,</i>	<i>Thompson,</i>
<i>Child,</i>	<i>Merritt,</i>	<i>Ruel,</i>	<i>Thorburn,</i>
<i>Christie,</i>	<i>Morin,</i>	<i>Simpson,</i>	<i>Turcotte,</i>
<i>Cook,</i>	<i>Morris,</i>	<i>Small,</i>	<i>Viger, Hon. D.B.</i>
<i>Daly, Hon. D.</i>	<i>Neilson,</i>	<i>Smith, (Fron)</i>	<i>Woods.—42.</i>
<i>De Salaberry,</i>	<i>Parent,</i>		

NOES.

<i>Burnet,</i>	<i>Foster,</i>	<i>MacNab, Sir A.N.</i>	<i>Ogden, Hon. C. R.</i>
<i>Cartwright,</i>	<i>Gilchrist,</i>	<i>McDonald, (Glen.)</i>	<i>Parke,</i>
<i>Chesley,</i>	<i>Hale,</i>	<i>McLean,</i>	<i>Watts,</i>
<i>Day, Hon. C. D.</i>	<i>Harrison, Hon. S.B.</i>	<i>Moffatt, Hon. G.</i>	<i>Williams,</i>
<i>Draper, Hon. W.H.</i>	<i>Holmes,</i>	<i>Moore,</i>	<i>Yule.—22.</i>
<i>Dunlop,</i>	<i>Johnston,</i>		

So it was carried in the Affirmative, and—

Resolved—Accordingly.

Main motion carried.

On motion of Mr. *Prince*, seconded by Mr. *Aylwin*,

Ordered—That the said Resolution be now recommitted to a Committee of the whole House.

Resolution re-committed.

The House accordingly resolved itself into the said Committee.

Mr. *Barthe* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair.

And Mr. *Barthe* reported, that the Committee had come to a Resolution, which Resolution was again read at the Clerk's Table, and is as followeth:—

Resolution reported.

Resolved—That it is the opinion of this Committee that an humble Address be presented to His Excellency, the Governor General, as representing the Crown in this Province, praying for the Exercise of the Royal Prerogative for granting a free pardon, indemnity and oblivion, of all crimes, offences and misdemeanors, connected with the late unhappy troubles in the late Provinces of *Upper* and *Lower Canada*, to such of Her Majesty's misguided subjects, in so far as may be compatible with the safety of the Crown, and the security of the Province, and of all attainers and outlawries during the period of four years; most humbly assuring His Excellency that whenever it may please Her Most Gracious Majesty, through Her Representative, and out of Her own free will, pleasure and mere motion, to transmit a Bill to that effect to the Provincial Assembly, the same will be received with humble gratitude, and will tend still more to confirm Her Majesty's faithful subjects in this Province in their affection to their Sovereign, and to strengthen the connexion which happily exists between this Province and Her Majesty's Empire.

Resolution.

Ordered—That the question of concurrence be now put on the said Resolution.

And the said Resolution being again read, and the question of con-

Question of concurrence put.

currence being put thereon, the House divided, and the names being called for, they were taken down as followeth:—

YEAS.

<i>Armstrong,</i>	<i>Daly, Hon. D.</i>	<i>Neilson,</i>	<i>Small,</i>
<i>Aylwin,</i>	<i>Durand,</i>	<i>Parent,</i>	<i>Smith, (Fron.)</i>
<i>Baldwin,</i>	<i>Dunlop,</i>	<i>Powel,</i>	<i>Smith, (Went.)</i>
<i>Barthe,</i>	<i>Hincks,</i>	<i>Price,</i>	<i>Taché,</i>
<i>Boutillier,</i>	<i>Hopkins,</i>	<i>Prince,</i>	<i>Taschereau,</i>
<i>Buchanan,</i>	<i>Kimber,</i>	<i>Quesnel,</i>	<i>Thompson,</i>
<i>Cameron,</i>	<i>Merritt,</i>	<i>Raymond,</i>	<i>Thorburn,</i>
<i>Child,</i>	<i>Moore,</i>	<i>Robertson,</i>	<i>Turcotte,</i>
<i>Christie,</i>	<i>Morin,</i>	<i>Roblin,</i>	<i>Viger, Hon. D.B.</i>
<i>Cook,</i>	<i>Morris,</i>	<i>Ruel,</i>	(39).

NOES.

<i>Chesley,</i>	<i>Johnston,</i>	<i>McDonald, (Glen.)</i>	<i>Moffatt, Hon. G.</i>
<i>Foster,</i>	<i>McNab, Sir A. N.</i>	<i>McLean,</i>	<i>Watts.—9.</i>
<i>Hale,</i>			

Question carried.

So it was carried in the affirmative, and—
Resolved—Accordingly.

Ordered—That the said address be presented to His Excellency, by such Members of this House as are of the Honourable the Executive Council of this Province.

Motion to allow Petitioners, and sitting member for Niagara to give in additional list of witnesses.

Mr. *Thorburn* moved, seconded by Mr. *Thompson*,
That *Robert Melville* and *John McBride*, electors of the Town of *Niagara*, complaining of the undue election and return of *Edward Clarke Campbell*, Esquire, sitting member for the said Town of *Niagara*, and the said *Edward Clarke Campbell*, Esquire, be allowed to deliver in to the Clerk of the House an additional list of Witnesses, on or before the 3rd day of *September* next, in the matter of the said contested election; the said list to be transmitted, by the Clerk of the House, to the Commissioners appointed to take evidence on the said contested election.

Question lost.

The question having been put upon the said motion, a division ensued, and it passed in the Negative.

House in Com. on Bill for relief of purchasers at Sheriffs' sales.

The Order of the day for the House in Committee on the Bill for the relief of purchasers at certain Sheriffs' sales, made after such Sheriffs had been out of Office, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Child*, took the chair of the Committee.

Several Members having retired,

Mr Speaker resumed the chair.

The names of the Members present were taken down, as followeth:—

Mr. Speaker,

No Quorum.

Mr. *Baldwin*, Mr. *Burnet*, Mr. *Child*, Mr. *Cook*, Mr. *Dunlop*, Mr. *Gilchrist*, Mr. *Hale*, Mr. *Hincks*, Mr. *Hopkins*, Mr. *Merritt*, the Honourable Mr. *Moffatt*, Mr. *Morris*, Mr. *Prince*, Mr. *Roblin*, Mr. *Henry Smith*, Mr. *Thompson*, Mr. *Thorburn*, and the Honourable Mr. *Viger*.

And at a quarter to 6 o'clock, P. M., Mr. Speaker adjourned the House, for want of a quorum.

Martis. 31^o die Augusti ;

Anno 5^o Victoriae Reginae, 1841.

The following Petitions were severally brought up, and laid on the table :—

Petitions brought up.

By Mr. *Dunscomb*—The Petition of *Michael McCarty*, messenger of the Legislative Assembly ; and the Petition of *Alfred Todd* and *Thaddeus Patrick*, Clerks in the office of the Clerk of the Legislative Assembly.

M. McCarty.

A. Todd, and T. Patrick.

By Mr. *Robertson*—The Petition of *Alexander Malcomson*, and others, inhabitants of the rear of the augmentation of the Township of *Grenville*.

A. Malcomson, and others.

By Mr. Solicitor General *Day*—The Petition of *Thomas B. Prentiss*, and others, inhabitants of the Township of *Hull*, County of *Ottawa*.

T. B. Prentiss, and others.

By Mr. *Boswell*—The Petition of *Benjamin Clark*, and others, inhabitants of the Town of *Cobourg*.

B. Clark, and others.

By Mr. *Foster*—The Petition of *S. S. Foster*, Esquire, and others, residing in *Stukely*, *Bolton*, and other places.

S. S. Foster, and others.

An engrossed Bill to confirm a certain arrangement, entered into by the Magistrates of the Districts of *Gore*, and *Wellington*, was read for the third time.

Bill to confirm an arrangement in Gore & Wellington Districts, passed.

Resolved—That the Bill do pass.

Ordered—That Mr. *Durand*, do carry the said Bill to the Legislative Council, and desire their concurrence.

An engrossed Bill to establish a Company by the name of the “*Sydenham Mountain Road Company*,” was read for the third time.

Sydenham Mountain Road Bill passed.

Resolved—That the Bill do pass.

Ordered—That Mr. *Durand*, do carry the said Bill to the Legislative Council, and desire their concurrence.

An engrossed Bill to provide for the translation, in the *French* language, of the laws of this Province, and for other purposes therein mentioned, was read for the third time.

Bill for French translation of Statutes passed.

Resolved—That the Bill do pass, and that the title be “*An Act to provide for the translation into the French language of the laws of this Province, and for other purposes connected therewith.*”

Ordered—That Mr. *Parent*, do carry the said Bill to the Legislative Council, and desire their concurrence.

An engrossed Bill to repeal a certain Act, therein mentioned, and to exempt the Members of Companies of Firemen, lawfully established, from serving as jurors, and in the Militia, except in certain cases, was read for the third time.

Bill to exempt firemen from certain duties, passed.

Resolved—That the Bill do pass.

Ordered—That Mr. *Dunscomb*, do carry the said Bill to the Legislative Council, and desire their concurrence.

An engrossed Bill to incorporate certain persons, therein mentioned, for the purpose of making a macadamized road from *Dundas* street to the *River Humber*, in the Township of *York*, was read for the third time.

Dundas St. and Humber road Bill, passed.

Resolved—That the Bill do pass, and that the title be “*An Act to incorporate certain persons, therein mentioned, for the purposes of making a macadamized road from Dundas street to the River Humber in the Township of York.*”

Ordered—That Mr. *Price*, do carry the said Bill to the Legislative Council, and desire their concurrence.

Bill to extend provision of a certain Ordinance to road on N. side of river St. Charles, passed.

An engrossed Bill to extend the provisions of an Ordinance, therein mentioned, to a certain road on the *North* side of the River *St. Charles*, in the District of *Quebec*, was read for the third time.

Resolved—That the Bill do pass.

Ordered—That Mr. *Black*, do carry the said Bill to the Legislative Council, and desire their concurrence.

Petition of L. Lyman, referred to Sel Com.

On motion of Mr. *Johnston*, seconded by Mr. *Henry Smith*.

Resolved—That the Petition of *Lewis Lyman*, of *Beauharnois*, Commissioner of the *North American* Colonial Association of *Ireland*, presented to the House on the 28th instant, be referred to a select Committee, composed of Mr. Solicitor General *Day*, Mr. *Dunscumb*, Mr. *Morin*, and Mr. *Neilson*, to examine the contents thereof, and report thereon with all convenient speed, by Bill or otherwise; with power to send for persons, papers, and records.

Com. on public accounts and estimates Report.

The Honourable Mr. *Harrison*, from the select Committee to which was referred so much of the message of His Excellency the Governor General, as relates to the estimates for the year ending 31st *December*, 1841, together with the documents connected therewith, presented to the House the report of the said Committee, which was again read at the Clerk's Table.

For the said Report See Appendix, (F. F.)

500 copies to be printed.

Ordered—That 500 copies of the said Report be printed in the *English* and *French* languages, for the use of the Members of this House.

Motion for House in Com. of supply on Thursday next.

The Honourable Mr. *Harrison* moved, seconded by Mr. Solicitor General *Day*,

That this House will, on *Thursday* next, resolve itself into a Committee of supply, to take into consideration the message of His Excellency, the Governor General, relating to the estimates for the year ending 31st *December*, 1841, and the said Report.

Tuesday substituted for Thursday.

Mr. *Aylwin*, move in amendment, seconded by Mr. *Price*,

That the word "*Thursday*" be struck out of the said motion, and the word "*Tuesday*" be substituted in lieu thereof.

The question having been put on the motion of amendment, it was agreed to unanimously.

Motion carried.

The question being then put on the main motion, as amended, it was also agreed to unanimously, and—

Resolved—Accordingly.

Com on Petition of H. Keating and others, present report and Bill.

Mr. *Cameron*, from the select Committee to which was referred the Petition of *Horace Keating*, and others, and other references, with power to report by Bill or otherwise, presented to the House the report of the said Committee which was again read at the Clerk's table, and is as followeth :—

Report.

"Your Committee have carefully examined the said Petition, considered the prayer, and referred to the extent and situation of the *Western* District, and find that the Petitioners really labour under serious and burthen-some disadvantages; that the duties of Jurors can hardly be performed; the rights of Plaintiffs and Defendants on Jurors invaded, that even Criminals must frequently escape; that the state of the roads, and nature of the lands and waters, greatly add to the evils which necessarily result from the extreme distance from the District Town, for all which reasons your Committee beg leave respectfully to recommend, that the recommendation of the Committee of conference appointed on the question of the division of Districts, in 1837, be carried into effect, for which purpose they beg leave to report a Bill."

Mr. Cameron, then presented to the House a Bill for the erection of certain Townships, in the County of *Kent*, into a separate District ; which was received, and read for the first time.

Bill to erect a new District in Kent, brought in.

Ordered—That the said Bill be read a second time on *Friday* next.

Mr. Durand, from the select Committee to which was referred the Petition of *James B. Ewart*, and others, of the Townships of *West Flamborough*, *Beverly*, and other places, presented to the House the report of the said Committee, which was again read at the Clerk's table, and is as followeth :—

Committee on Petition of J. B. Ewart and others report.

For the said Report, see Appendix (R. R.)

Ordered—That the said Report be referred to a Committee of the whole House on *Friday* next.

Report referred to Committee of whole Friday.

Mr. Williams, from the Select Committee to which was referred the Bill for the protection of Copy Rights, in that part of the Province formerly constituting *Upper Canada*, and the Resolution of this House of the 28th instant, “to repeal the Act of the late Province of *Lower Canada*, intituled ‘*An Act for the protection of Copy Rights*’,” reported that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table.

Committee on U. C. copy right Bill and Resolution report Bill amended.

Ordered—That the said Bill and Report be referred to a Committee of the whole House on *Friday* next.

Bill referred to Committee of whole on Friday.

Mr. Merritt, from the Special Committee to which was referred the Report of the Commissioners of the Provincial Steam Dredging Machine, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth :—

Committee on Report of Commissioners of Steam Dredging Report.

“Your Committee have examined the Report of the Commissioner, and find that the sum of £446 4s. 2d. is yet due, on account of the Dredging Machine, to the following persons, viz :—

Report.

1. <i>Lyon and Howard</i> , per Appendix to Journal of 3d Sess. 13 Part of <i>U. Canada</i> , 1837–8, page 349, No. 5 Voucher from the Commissioner for the same.....	£125 0 0
2. <i>Jacob Randall</i> , for Services, as Master of the Dredging Machine, 1839.—See Appendix to Journal of 5th Sess., 13 Part., Vol. 1, Part 1, Pages 397–8.....	28 9 3
3. <i>Joseph Anniseth Skleeson</i> , Engineer during the time <i>Jacob Randall</i> was acting as Master.—See the same Appendix, page	13 14 9
4. Commissioner, debt due him per Appendix to Journal of 5th Sess. 13th Parl., Page 394, Vol. 1, Part 1, 1839–40.....	107 6 0
5. Commissioner's account for postage, and other incidental expenses, since last Report.....	5 9 7
6. Charge of <i>Francis Hall</i> , Esq., Civil Engineer, for professional assistance.....	15 0 0
7. Allowance to Commissioner, to remunerate him for his superintendence, from date of Commission, in 1835, to this Period.....	112 0 0
8. Expense of raising Machine, after being sunk by some malicious person, in November, 1839, (per statement appended.).....	39 4 7
	£446 4 2

which sums Your Committee recommend to be paid, and for that purpose

have prepared a Resolution on which to frame an Address to His Excellency, the Governor General.

Your Committee likewise recommend that the Commissioner should be relieved from his duties, for the reasons set forth by him in his report to His Excellency, the Governor General ; and that the Dredging Machine be put under the charge of the President of the Board of Works, at once, with all its boats, scows and appurtenances ; also that the said President of the Board of Works be furnished with copies of contracts, accounts, vouchers, rules and regulations, and any and all the documents therewith connected, by the present Commissioner.

Your Committee, after a careful and attentive perusal of all the accounts and arrangements, herewith and heretofore made by the Commissioner, for the guidance and management of his trust, find the same to be extremely minute and satisfactory, and in justice to him, do not hesitate to say, that he has discharged his onerous duty with fidelity, and with credit to himself, and, in so far as circumstances would possibly warrant, with advantage to the Public.

In conclusion, Your Committee beg to remark that there appears to have been expended in the purchase of the Dredge, the sum of £3,400, exclusive of the sum of £446 4s. 2d., alluded to in the former part of this Report."

Report referred to Committee of whole, on Friday.

Ordered—That the said Report be referred to a Committee of the whole House on *Friday* next.

Committee on Resolutions on Feudal Tenure present report, with Bill.

Mr. *Dunscomb*, from the select Committee to which were referred the Resolutions of this House of the 28th. of *July* last, relative to the Laws of that part of the Province heretofore known as *Lower Canada*, touching the tenure of Lands, and commonly known as "*Feudal Tenure*" with power to report by Bill or otherwise, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth :

Report.

" Your Committee, after a careful consideration of the Resolutions referred to them, are of opinion that the means of inquiring into the laws and practices of the Feudal Tenure, with a view to its gradual extinction, would be by the appointment of a Commission for that purpose ; they have therefore prepared a Resolution, on which to found an Address to His Excellency, the Governor General, which, together with the draft of a Bill to authorize a voluntary commutation of lands held under that tenure, they beg leave to recommend to the consideration of Your Honourable House."

Seignorial Tenure commutation Bill brought in.

Mr. *Dunscomb* then presented to the House a Bill to provide for the voluntary commutation of the Seignorial Tenures in the Seignories of *Lower Canada*, which was received, and read for the first time.

Ordered—That the said Bill be read a second time on *Friday* next.

Report referred to Committee of whole, Monday.

Ordered—That the said Report be referred to a Committee of the whole House on *Monday* next.

250 copies to be printed in English and do. in French.

Ordered—That 250 Copies of the said Report be printed in each of the *English* and *French* Languages, for the use of the Members of this House.

Undisposed of Orders of yesterday postponed to morrow.

On motion of the Honourable Mr. *Moffatt*, seconded by Mr. *Baldwin*, *Ordered*—That the Orders of the day of yesterday, that were not disposed of, be postponed until to-morrow, and that they be then the first orders of the day.

Mr. Buchanan added to Committee on petition of J. S. Baldwin.

Ordered—That Mr. *Buchanan* be added to the select Committee to which was referred the Petition of *J. S. Baldwin*, and others, citizens of *Toronto*.

On motion of Mr. *Morin*, seconded by Mr. *Raymond*,

Ordered—That *David M. Armstrong*, Esquire, Member for *Berthier*, be excused from serving on the contested election for the 2nd Riding of the County of *York*, during the remainder of the sittings of the said Committee, on account of ill health.

Mr. Armstrong excused from serving on election Committee 2nd R York.

Ordered—That Mr. *Armstrong* have leave to absent himself from this House until the 15th of *September* next, on account of ill health.

Leave of absence to Mr. Armstrong.

On motion of the Honourable Mr. *Harrison*, seconded by Mr. Solicitor General *Day*.

Resolved—That this House will, on *Friday* next, resolve itself into a Committee of the whole House, to consider the propriety of making certain alterations in the Act regulating the corporation of the Town of *Kingston*.

House to go into Committee, on Friday, on Kingston Corporation Act.

On motion of Mr. *Small*, seconded by the Honourable Mr. *Harrison*,

Resolved—That this House will, on to-morrow, resolve itself into a Committee of the whole House, to take into consideration the propriety of repealing the several Laws now in force in that part of the Province formerly called *Upper Canada*, establishing Boards of Boundary Line Commissioners within the several Districts thereof.

House to go into Committee to-morrow, or repealing Boundary Commissioners Acts of U. C.

A Bill to incorporate sundry persons under the style and title of the President, Directors, and Company, of the Bank of the *Niagara* District, was, according to Order, read a second time.

Niagara Bank Bill read 2nd. time.

Ordered—That the said Bill be referred to a Committee of the whole House on *Friday* next.

A Bill to empower certain Trustees therein mentioned to convey a portion of a certain Lot of Land in the Township of *Lochiel*, in the *Eastern* District, to the Reverend *John McIsaac*, was, according to order, read a second time.

Bill to convey a certain piece of land in Lochiel read 2nd time.

Ordered—That the said Bill be engrossed.

Bill to be engrossed.

A Bill to increase the Capital Stock of the Commercial Bank of the *Midland* District, was, according to order, read a second time.

Commercial Bank stock increase Bill read 2nd time.

Ordered—That the said Bill be referred to a Committee of the whole House on *Friday* next.

A Bill to increase the Capital Stock of the Bank of *Upper Canada*, was, according to Order, read a second time.

U. C. Bank stock increase Bill read 2nd time.

Ordered—That the said Bill be referred to a Committee of the whole House on *Friday* next.

The Order of the day for the second reading of the Bill to extend the charter of the Bank of *Montreal*, and to increase its capital stock, being read,

Order for 2nd reading Bill to extend charter of Montreal Bank postponed.

Ordered—That the said Order of the day be postponed until *Thursday* next.

A Bill to create a fund for defraying the expense of enabling indigent Emigrants to proceed to their place of destination, and of supporting them until they can procure employment, was, according to Order, read a second time.

Emigrants' fund Bill read 2nd time.

Ordered—That the said Bill be referred to a Committee of the whole House on *Thursday* next.

The Order of the day for the second reading of the Bill to amend the charter and increase the Capital Stock of the *Gore* Bank, being read,

Order for 2nd reading Gore Bank stock increase Bill postponed.

Ordered—That the said Order of the day be postponed until *Thursday* next.

L. Assomption College
Bill read 2nd time.

A Bill to incorporate the College of *L'Assomption*, in the County of *Leinster* was, according to Order, read a second time.

Ordered—That the said Bill be referred to a Committee of the whole House on to-morrow.

Pot and Pearl Ashes
inspection Bill read
2nd time.

A Bill to regulate the inspection of Pot and Pearl Ashes, was, according to Order, read a second time.

Ordered—That the said Bill be referred to a Committee of the whole House on *Friday* next.

House in Committee
on Message on Public
Improvements.

The Order of the day for the House in Committee to take into consideration the Message of His Excellency, the Governor General, relative to Public Improvements, together with the documents accompanying the same, and other references being read.

The House accordingly resolved itself into the said Committee.

Mr. *Gilchrist* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Resolution reported,
and leave to sit again.

And Mr. *Gilchrist* reported that the Committee had come to a resolution, which he was directed to report to the House whenever it shall be pleased to receive the same; and also that he was directed by the Committee to move for leave to sit again.

Ordered—That the said Committee have leave to sit again to-morrow.

Ordered—That the report be now received.

And the report was received, and the resolution was again read at the Clerk's table, as followeth:—

Resolution.

Resolved—That it is the opinion of this Committee that it is inexpedient to take into further consideration, during the present Session, the establishment of a Provincial Bank of Issue, or the Issue, in any other way, of a paper currency on the faith of the Province.

Motion to concur in
Resolution.

Mr. *Baldwin* moved, seconded by Mr. *Aylwin*,
That this House doth concur with the Committee in the said resolution.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:

YEAS.

<i>Armstrong,</i>	<i>Dunscomb,</i>	<i>Morin,</i>	<i>Sherwood,</i>
<i>Aylwin,</i>	<i>Durand,</i>	<i>Morris,</i>	<i>Taché,</i>
<i>Baldwin,</i>	<i>Halc,</i>	<i>Neilson,</i>	<i>Taschereau,</i>
<i>Barthe,</i>	<i>Holmes,</i>	<i>Parent,</i>	<i>Thompson,</i>
<i>Black,</i>	<i>Hopkins,</i>	<i>Powell,</i>	<i>Thorburn,</i>
<i>Boutillier,</i>	<i>Johnston,</i>	<i>Price,</i>	<i>Turcotte,</i>
<i>Buchanan,</i>	<i>Kimber,</i>	<i>Quesnel,</i>	<i>Viger, Hon. D.B.</i>
<i>Burnet,</i>	<i>MacNab, Sir A.N.</i>	<i>Raymond,</i>	<i>Woods,</i>
<i>Cartwright,</i>	<i>Merritt,</i>	<i>Roblin,</i>	<i>Watts,</i>
<i>Christie,</i>	<i>Moore,</i>	<i>Smith, (Went.)</i>	<i>Yule. —40.</i>

NOES.

<i>Boswell,</i>	<i>De Salaberry,</i>	<i>Killaly, Hon. H.H. Prince,</i>
<i>Cameron,</i>	<i>Draper, Hon. W.H.</i>	<i>McDonald, (Pres.) Robertson,</i>
<i>Chesley,</i>	<i>Dunlop,</i>	<i>McDonald, (Glen.) Simpson,</i>
<i>Child,</i>	<i>Foster,</i>	<i>McLean, Small,</i>
<i>Cook,</i>	<i>Gilchrist,</i>	<i>Moffatt, Hon. G. Smith, (Fron.)</i>
<i>Daly, Hon. D.</i>	<i>Harrison, Hon. S.B.</i>	<i>Ogden, Hon. C. R. Steele,</i>
<i>Day, Hon. C. D.</i>	<i>Hincks,</i>	<i>Parke, Williams. —29.</i>
<i>Derbishire,</i>		

Motion carried.

So it was carried in the Affirmative, and—

Resolved—That this House doth concur with the Committee in the said resolution.

On motion of Mr. *Aylwin*, seconded by Mr. *Roblin*,
Ordered—That the Orders of the day that have not been disposed of,
 be postponed until to-morrow.

Orders of day postponed.

Then, on motion of Mr. *Aylwin*, seconded by Mr. *Bartha*,
 The House adjourned.

Mercurii, 1^o die Septembris;

Anno 5^o Victoriae Reginae, 1841.

The following Petitions were severally brought up and laid on the table:—

Petitions brought up.

By Mr. *Woods*—The Petition of *Thomas L. Crooke*, and others, inhabitants of the county of *Kent*.

T. L. Crooke and others.

By Mr. *Sherwood*—The Petition of *Alexander Morris*, and others, inhabitants of *Brockville*, *Johnstown* District.

Alexander Morris and others.

By Mr. *Prince*—The Petition of *Anne Richardson*, of *Amherstburg*, *Western* District.

Anne Richardson.

An engrossed Bill to empower certain Trustees therein mentioned, to convey a certain portion of land in the Township of *Lochiel*, in the *Eastern* District, to the Rev. *John McIsaac*, was read for the third time.

Bill to convey a certain piece of land in *Lochiel*, passed.

Resolved—That the Bill do pass.

Ordered—That Mr. *J. S. Macdonald* do carry the said Bill to the Legislative Council and desire their concurrence.

An engrossed Bill to alter and amend the Laws now in force, in that part of this Province formerly *Upper Canada*, regulating the District Courts, was read for the third time.

District Court Bill read 3d time.

Sir *Allan MacNab* moved, seconded by Mr. *Sherwood*,

That the following engrossed clause marked A. be added to the said Bill, by way of *Ryder*, and do follow the last clause of the said Bill, and make part thereof:

Ryder moved.

(A.)

Provided always and be it enacted, that nothing in this Act, or in an Act passed during the present Session of the Legislature and intituled "*An Act to repeal the Laws now in force in that part of this Province formerly called Upper Canada, for the recovery of small debts, and to make other provision therefor,*" shall be construed to prevent any person who was a judge in any District Court in that part of the Province formerly called *Upper Canada* at the time of the passing of the said Act, or of this Act, and who also now is a member of the Legislative Assembly of this Province, from continuing to sit and vote in the said Assembly during the present Parliament; any thing in the said Act, or in this Act, to the contrary notwithstanding.

The said clause being thrice read, and the question of concurrence being put thereon, it was agreed to by the House.

Ryder carried.

Mr. *J. S. MacDonald* moved, seconded by Mr. *Thorburn*,

That the following engrossed clause marked B., be added to the said Bill, by way of *ryder*, and make part thereof:—

Another *Ryder* moved.

(B.)

And be it enacted, that from and after the first day of January, one thousand eight hundred and forty two, no person shall remain or be ap-

pointed a District Judge for any District in *Canada West*, who shall not be a resident in the District of which he shall be Judge.

Amendment moved.

Captain *Steele* moved, seconded by Mr. *Gilchrist*,

That the following engrossed clause be added to the said Bill by way of ryder in lieu of clause B., now offered.

And be it enacted, that from and after the first day of *January*, one thousand eight hundred and forty two, no person shall remain or be appointed a District Judge for any District in *Canada West* who shall not be a resident in the District of which he shall be Judge and no person shall be appointed to, or shall continue to hold the office of Judge, of any such District Court after the said first day of *January*, who is not or shall not be a Barrister at Law within that part of *Canada* formerly called *Upper Canada*.

On motion of Mr. *Neilson*, seconded by Mr. *Christie*,

Ordered—That the further consideration of the said Bill and ryder offered, be postponed until to-morrow.

Petitions read.

Pursuant to the Order of the day the following *Petitions* were read :—

Of *Æ. Bell*.

Of *Æneas Bell*, Chief Messenger and House Keeper of the late House of Assembly of *Upper Canada*, praying that the House will grant him his usual allowance for the period during which the House of Assembly did not meet.

Of *P. Lacroix*

Of *Pierre Lacroix*, of *Quebec*, praying the House of Assembly will recompense him for his past services as messenger of the Legislative Council of *Lower Canada*.

Of *E. Parent, Esq.*

Of *E. Parent*, Esquire, praying that he may be remunerated for his services as Law Clerk of the House of Assembly of the late Province of *Lower Canada*.

Of *J. E. Turcotte, Esq.*

Of *Joseph Edouard Turcotte*, Esquire, representative of the County of *St. Maurice*, complaining of being charged with the costs incurred by him on the contestation of his election and return for the said County, and praying relief.

Of *J. Lister & others.*

Of *John Lister*, and *Bowman, & Co.*, Merchants, stating that they are sufferers by the robbing of the Mail between *Kingston* and *Brockville*, on or about the 26th *April*, 1839, and praying relief.

Of *J. Parish and others.*

Of *John Parish*, and others, inhabitants of the Township of *Yonge*, praying that a division may be made from the concession line between the 4th and 5th Concessions in *Yonge*, and *Yonge* formerly *Escott*.

Of *H. Scovie and others.*

Of *Hugh Scovie*, and others, inhabitants of the Township of *Yonge*, praying that that portion of the said Township formerly known by the name of *Escott*, be formed into a separate division, for Township purposes.

Of *C. McPherson and others.*

Of *Charles McPherson*, and others, of *St. Polycarpe*, County of *Vaudreuil*, praying for an Act to authorize them to open a road along the *North Bank* of the River à *Beaudette*.

Petitions referred.

On motion of Mr. *Woods*, seconded by Mr. *Cameron*.

Of *W. McCrea and others, to select Com.*

Resolved—That the *Petition* of *William McCrea*, *Duncan McGregor*, and others, Magistrates and inhabitants of the *Western District*, presented to the House, on the 12th of *July* last, be referred to a select Committee, composed of Mr. *Prince*, Mr. *Cameron* and Mr. *Henry Smith*, to examine the contents thereof, and to report thereon, with all convenient speed, by Bill or otherwise ; with power to sent for persons, papers, and records.

Of *E. Parent, Esq. to sel. Com.*

On motion of Mr. *Baldwin*, seconded by Mr. *Price*.

Resolved—That the *Petition* of *E. Parent*, Esquire, be referred to a select Committee, composed of the Honourable Mr. *Daly*, the Honourable Mr. *Dunn*, Mr. *Morin*, and Mr. *Aylwin*, to examine the contents thereof

and to report thereon with all convenient speed ; with power to send for persons, papers, and records.

Ordered—That the Petition of *Pierre Lacroix*, of *Quebec*, be referred to the Committee of the whole House to take into consideration the subject of the message of His Excellency, the Governor General, relative to the salaries of the Honourable the Speaker of the Legislative Council, and the Honourable the Speaker of this House, and the salaries of the Officers of both Houses.

Of P. Lacroix, to Com. of whole on Salary of Speakers, &c.

On motion of Mr. *Christie*, seconded by Mr. *Buchanan*.

Resolved—That the Petition of *Joseph Edouard Turcotte*, Esquire, representative of the County of *St. Maurice*, be referred to a select Committee, composed of Sir *Allan MacNab*, Mr. *Quesnel*, Mr. *Princc*, Mr. *Morin*, and Mr. *Price*, to examine the contents thereof, and to report thereon with all convenient speed ; with power to send for persons, papers, and records.

Of J. E. Turcotte, Esq. to select Committee.

Ordered—That the Petition of *Edvard O'Donnell*, and others, inhabitants of the City of *Toronto*, presented to the House on the 27th of *August* last, be referred to the select Committee to which was referred the Petition of the Justices of the Peace of the *Home* District, and other references.

Of E. O'Donnell and others, to Committee on Petition of Justices of the Peace, Home District.

On motion of Mr. *Simpson*, seconded by Mr. Solicitor General *Day*.

Resolved—That the Petition of *Allan McDonell*, of *St. Andrew's*, Township of *Cornwall*, presented to the House on the 25th of *August* last, be referred to a select Committee, composed of Mr. *J. S. MacDonald*, Mr. *D. McDonald*, Mr. *McLean*, and Mr. *Robertson*, to examine the contents thereof, and report thereon with all convenient speed ; with power to send for persons, papers, and records.

Of A. McDonell, to select Committee.

The Honourable Mr. *Harrison*, presented, pursuant to an address of the House of Assembly, of the 25th of *August* last, a return relative to the situations, or places of profit, held under the Government of this Province, by the Commissioners appointed to investigate the late Riots at *Toronto* :

Return of situations held by Commissioner's on Toronto Riots, laid before the House.

“Return to an address from the House of Assembly to His Excellency the Governor General, dated 25th *August*, 1841, praying to be informed “ what situations or places of profit and emolument are held, if any, under the Government of this Province, by the Commissioners who were appointed to investigate the late Riots at *Toronto*, and what remuneration has been paid to the said Commissioners in their said capacity.

Return.

W. N. Coffin—Commissioner of Police for that part of the Province heretofore *Lower Canada*.

N. Fullam—No appointment under the Crown.

Amount paid for expenses of Commission, £162 6 9 Cy.

T. W. C. MURDOCH,”

Kingston, 30th *August*, 1841.

And also, pursuant to an address of the House of Assembly, of the 6th of *August* last, a return on the subject of the Light Houses within the late Province of *Upper Canada*.

Return respecting Light Houses laid before the House.

For the said Return See Appendix (G. G.)

Sir *Allan MacNab*, from the select Committee to which was referred the Petition of *J. S. Baldwin*, and others, Citizens of *Toronto*, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth :—

Committee on Petition of J. S. Baldwin and others. reports.

“ Your Committee, having given to the said Petition their best and

Report

most serious attention, and having maturely considered the proposition therein set forth, for the alternate assembling of the Legislature at *Quebec* and *Toronto*; and being fully impressed with the conviction that such a measure would not only be acceptable to the great body of the inhabitants of *Canada*, but would, at the same time result in a great saving of expenditure to the public, have, in compliance with the prayer of the Petition, prepared an address to Her Most Gracious Majesty the Queen, which they recommend for the adoption of your Honourable House, to be transmitted through His Excellency, the Governor General, to be laid at the foot of the Throne.

Report referred to Committee of whole to-morrow.

Ordered—That the said report be referred to a Committee of the whole House, on to-morrow.

Mr. *Williams*, from the select Committee to which were referred the amendments made by the Legislative Council to the Bill intituled “*An Act to enable Religious Societies of all denominations of Christians to hold the lands requisite for certain purposes therein mentioned,*” presented to the House the Report of the said Committee, which was again read at the Clerk’s table.

Report referred to Com. of whole, Friday.

Ordered—That the said Report and amendments be referred to a Committee of the whole House on *Friday* next.

Com. on Trinity House Bill report Bill as amended.

The Honourable Mr. *Daly*, from the Select Committee to which was referred the Bill to repeal and amend, in part, certain Acts, and a certain Ordinance therein mentioned, and to extend the power and increase the funds of the Corporation of the *Trinity* House of *Quebec*, reported that the Committee had gone through the Bill, and made several amendments thereto, which amendments were again read at the Clerk’s table.

Bill referred to Com. of whole, to-morrow

Ordered—That the said Bill and Report be referred to a Committee of the whole House on to-morrow.

Committee on Penitentiary present report and Bill.

The Honourable Mr. *Daly*, from the Special Committee appointed to consider the affairs and management of the Provincial Penitentiary of that part of the Province heretofore *Upper Canada*, and the propriety of extending the operation of the Institution to that part of this Province heretofore *Lower Canada*—with power to report by Bill or otherwise; presented to the House the Report of the said Committee, which was again read at the Clerk’s table, and is as followeth:—

Report.

The Select Committee to whom was referred the consideration of the affairs and management of the Provincial Penitentiary of that part of the Province called *Upper Canada*, and the propriety of extending the operation of the Institution to that part of the Province called *Lower Canada*, beg leave to report a Bill for the purpose of effecting the latter object, together with the annual Reports of the Warden and Inspectors of that Establishment, and accompanying documents. (See Appendix M.)

The Committee, having visited the Establishment, express themselves fully satisfied with the order and regularity which prevails therein, and with the general management of the Establishment.

Bill to extend Penitentiary to Canada East brought in and read.

The Honourable Mr. *Daly* then presented to the House a Bill to render the Penitentiary erected near *Kingston*, in the *Midland* District, the Provincial Penitentiary for *Canada*, which was received and read for the first time.

Second reading Thursday.

Ordered—That the said Bill be read a second time on *Thursday* next.

Return respecting Jesuits’ Estates laid before the House.

The Honourable Mr. *Daly* presented, pursuant to an Address of the House of Assembly of the 26th of *August* last, a Return on the subject of Estates appertaining to the late order of *Jesuits*.

Detailed Statement of the Expenditure, by Her Majesty's Government, of all monies out of the Public Chest of the Province of *Lower Canada*, and which came into the Receiver General's hands, as rents, issues and profits, of the Estates appertaining to the late Order of *Jesuits*, for the last five years.

Return.

(NIL.)

No expenditure has been made within the last five years, out of the Public Chest of the Province of *Lower Canada*, of monies which came into the Receiver General's hands, as rents, issues and profits, of the Estates appertaining to the late Order of *Jesuits*.

JOS. CARY,

Insp. Gen. Accounts.

Kingston, 27th August, 1841.

Also a Copy of a Commission appointing *William Benjamin Simpson*, Esquire, Collector of Her Majesty's Customs at the Port of *Coteau du Lac*.

Also copy of Commission appointing Mr Simpson Collector at Coteau du Lac.

PROVINCE OF } L. S.
CANADA. }

(Signed) SYDENHAM.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith.

Commission appointing Mr. Simpson Collector of Customs at Coteau du Lac.

To all to whom these presents shall come, or whom the same may concern.

GREETING :

Commission appointing William Benjamin Simpson, Esquire, Collector of Her Majesty's Customs at the Port of Coteau du Lac.

FIAT.

Recorded in the Register's Office of the Records at Quebec, the eighth day of March, 1841, in the sixteenth Register of Letters Patent and Commissions.

(Signed) T. W. C. MURDOCH,
Reg'r.

Know Ye that, reposing trust and confidence in the loyalty, integrity and prudence, of Our beloved and faithful *William Benjamin Simpson*, Esq, of *Coteau du Lac*, in Our District of *Montreal*, We, of Our especial grace, certain knowledge, and mere motion, have constituted and appointed, and by these presents do constitute and appoint the said *William Benjamin Simpson* to be Collector of Our Customs at the Port of *Coteau du Lac*, in Our said District of *Montreal*, in that part of Our Province of *Canada* which lately formed Our Province of *Lower Canada*, with full power and authority to do and perform all such acts, matters and things, as may be necessary, and may belong to the said office to be done, for the securing, levying, collecting and receiving, of all and every the duties, imposts and revenue of Customs, due, and to grow due, to be levied and become payable to Us, Our Heirs and Successors, and to be collected and received at the said Port of *Coteau du Lac*. To have, hold, exercise and enjoy, the said office of Collector of Our Customs as aforesaid, with all and every the powers, authority, salary, fees, rights, profits and advantages, to the said office appertaining, and which of right ought to appertain to the same, unto him, the said *William Benjamin Simpson*, for and during Our Royal pleasure, and the residence of the said *William Benjamin Simpson*, in Our said District of *Montreal*.

In Testimony whereof, We have caused these Our Letters to be made patent, and the Great Seal of Our said Province of *Canada* to be hereunto affixed.

Witness Our Right Trusty and well Beloved, the Right Honourable *Charles*, Baron *Sydenham*, of *Sydenham*, in the County of *Kent*, and of *Toronto* in *Canada*, one of Our most Honourable Privy Council, Governor General of British *North America*, and Captain General and Governor in Chief in and over Our Pro-

vinces of *Canada, Nova Scotia, New Brunswick*, and the Island of *Prince Edward*, and Vice Admiral of the same.

At Our Government House, in Our City of *Montreal*, in Our said Province of *Canada*, the fifth day of *March*, in the year of Our Lord, one thousand, eight hundred and forty one, and in the fourth year of Our Reign.

(Signed)

D. DALY,
Sec^y.

A true Copy.

D. DALY,
Sec^y.

Report of Com. to search L. Coun. Journals on Bill to secure justice in the late General Election, referred to Com. of whole, Friday.

On motion of Sir *Allan MacNab*, seconded by Mr. *Thorburn*,
Ordered—That the report of the Select Committee appointed to search the Journals of the Honourable the Legislative Council, as to what proceedings are therein, with relation to the Bill sent up from this House to that Honourable Body, entitled “*An Act for preventing any failure of Justice in respect of complaints of undue Elections or Returns of members of the Legislative Assembly of this Province,*” and to make Report thereof to this House, be referred to a Committee of the whole House on *Friday* next.

Committee on Election for 2nd Riding of York, report absence of two members.

Mr. *Roblin*, Chairman of the Committee appointed to try the merits of the Petitions of *Connell James Baldwin*, and of divers Electors of the 2d Riding of the County of *York*, complaining of the undue election and return of *George Duggan*, Esquire, as a member to represent the said Riding, reported to the House that, agreeably to the order of the House, the Committee met, and after having waited for one hour, in accordance with the Statute in this case provided, they adjourned until half past 9 o'clock, A. M., to-morrow, in consequence of the absence of Messieurs *Aylwin* and *Parke*, members of the said Committee.

Committee on Petition of Justices of Home District report.

Mr. *Buchanan*, from the Select Committee to which was referred the Petition of the Justices of the Peace of the *Home* District, and other references, with power to report from time to time, presented to the House the first Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

Report.

“Your Committee have examined the said Petition, and recommend the prayer thereof to the adoption of Your Honourable House, viz: that the debts of the old and new Jails of the *Home* District be consolidated, thus making the principal and interest of the same, payable out of the funds of the District, remaining beyond the ordinary assessment of one penny in the pound, and securing the whole on the Old Jail and Court House block; and also that it be provided that the several townships now forming part of the *Home* District, but which it is enacted shall hereafter belong to the new District of *Simcoe*, be relieved from their present liability to pay their proportion of the old debt of the District.”

Mr. *Buchanan* moved, seconded by Captain *Steele*,

That the said Report be now referred to a Committee of the whole House.

House in Committee on above report.

The question having been put upon the said motion, a division ensued, and it was carried in the Affirmative.

The House accordingly resolved itself into the said Committee.

Mr. *Williams* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Williams* reported, that the Committee had come to several

Resolutions, which Resolutions were again read at the Clerk's table, and agreed to by the House, and are as followeth :—

Resolved—That it is expedient to consolidate the Debts of the Old and New Gaols of the *Home District*, and to apply to the security and liquidation of such consolidated Debt the whole security and revenue now applicable to either Debt.

Resolved—That it is expedient that those Townships now comprised in the *Home District*, which it is enacted shall hereafter constitute the District of *Simcoe*, be relieved from their present liability to pay their proportion of the old Debt of the *Home District*.

Ordered—That Mr. *Buchanan* have leave to bring in a Bill to consolidate two certain Debts due by the *Home District*, and to make provision for the payment thereof.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Ordered—That the said Bill be read a second time on *Monday* next.

On motion of Mr. Attorney General *Ogden*, seconded by the Honourable Mr. *Harrison*.

Resolved—That this House will, on *Saturday* next, resolve itself into a Committee of the whole House, to consider the expediency of repealing a certain Ordinance of the Governor and Special Council of the late Province of *Lower Canada*, intituled "*An Ordinance to provide for the more easy and expeditious administration of Justice in Civil Causes, and matters involving small pecuniary value and interest, throughout this Province,*" and to provide by other Legislative Enactments for that object; and that the said Order be then the first Order of the day.

A Bill to empower *George Durand*, Esquire, to construct a Canal for Mill purposes in the Township of *Sarnia*, was, according to Order, read a second time.

Ordered—That the said Bill be engrossed.

A Message from the Legislative Council, by *John Godfrey Spragge*, Esquire, Master in Chancery.

MR. SPEAKER,

The Legislative Council have passed the following Bills, with several amendments, to which they desire the concurrence of the Assembly :

"*An Act to regulate the Fisheries in the District of Gaspé.*"

"*An Act for the disposal of Public Lands.*"

And then he withdrew.

The Order of the day for the House in Committee to take into consideration the Message of His Excellency, the Governor General, relative to public improvements, together with the documents accompanying the same, and other references, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Gilchrist* took the chair of Committee, and after some time spent therein,

Mr. *Speaker* resumed the chair,

And Mr. *Gilchrist* reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered—That the said Committee have leave to sit again to-morrow.

On Motion of Mr. *Christie*, seconded by Mr. *Parent*,

Ordered—That the Orders of the day that have not been disposed of, be postponed until to-morrow.

Then on motion of Mr. *Cartwright*, seconded by Mr. *Simpson*, The House adjourned.

Resolutions reported.

1st. Resolution.

2nd Resolution.

Bill to consolidate certain debts of Home District brought in.

House to go into Com. on *Saturday*, on repealing Ordinance respecting recovery of small debts.

Bill to allow G. Durand to construct a Canal read 2nd time.

Bill to be engrossed.

Message from Leg. Council.

Bills sent down amended.

Gaspé Fisheries Bill.

Public Lands sale Bill.

House in Committee on Message on Public Improvements.

Progress reported.

Orders of day postponed.

Jovis, 2^o die Septembris;

Anno 5^o Victoriae Reginae, 1841.

Petitions brought up. The following Petitions were severally brought up and laid on the table :

Rev. D. Allan and others. By Mr. *Dunlop*—The Petition of the Reverend *Daniel Allan*, and others, inhabitants of *Stratford* and vicinity.

F. Nadeau. By Mr. *De Salaberry*—The Petition of *Françoise Nadeau*, widow of the late *Joseph Trudeau*, of the Parish of *St Cyprien*;—and the Petition of *François Dénicourt*, of the Parish of *Ste. Marie*, Farmer.

F. Deniscourt. By Mr. *Tachereau*—The Petition of *P. E. Tachereau*, and others, Inhabitants of the District of *Chaudière*.

P. E. Taschereau and others. By Mr. *Prince*—The Petition of *Henry Smith*, superintendent of the Provincial Penitentiary.

H. Smith. By Mr. *Cameron*—The Petition of *N. Starke*, and others, Inhabitants of the Counties of *Carleton* and *Lanark*.

N. Starke and others. By Mr. *Merritt*—The Petition of *James Cummings*, and others, Inhabitants of the District of *Niagara*.

J. Cummings and others.

Petitions read. Pursuant to the Order of the day the following Petitions were read :

Of M. McCarty. Of *Michael McCarty*, stating that in consequence of the Union of the Provinces he has not been employed as a messenger in the Assembly of *Upper Canada*, as heretofore, and praying that he may be remunerated in consequence.

Of A. Todd and T. Patrick. Of *Alfred Todd* and *Thaddeus Patrick*, Clerks in the Office of the Clerk of the Legislative Assembly, praying that the House will make up their salaries for the past year to £200.

Of A. Malcomson and others. Of *Alexander Malcomson*, and others, inhabitants of the rear of the augmentation of the township of *Grenville*, praying that a law may be passed for a general system of education throughout the Province.

Of T. B. Prentiss and others. Of *Thomas B. Prentiss*, and others, inhabitants of the township of *Hull*, county of *Ottawa*, praying for an aid to construct Bridges across the *Gatineau River*.

Of B. Clark and others. Of *Benjamin Clark*, and others, inhabitants of the town of *Cobourg*, praying that the Petitions of such Banks as ask for an extension of their capital may be favourably entertained.

Of P. S. Foster and others. Of *P. S. Foster*, Esq., and others, residing in *Stukely*, *Bolton*, and other places praying for an aid of £75 to pay a teacher.

Petition of A. Todd & T. Patrick referred to Com. on Contingencies. *Ordered*—That the Petition of *Alfred Todd* and *Thaddeus Patrick*, Clerks in the Office of the Clerk of the Legislative Assembly, be referred to the Special Committee on the contingent accounts and expenses of the present Session.

Petition of M. McCarty referred to same Committee. *Ordered*—That the Petition of *Michael McCarty* be referred to the said Committee.

District Court Bill taken into consideration with proposed Ryders. According to order, the House took into further consideration the engrossed Bill to alter and amend the laws now in force in that part of this Province, formerly *Upper Canada*, regulating the District Courts, and Ryders offered.

The engrossed clause, marked (B), offered by Mr. *J. S. Macdonald*,

being thrice read, and the question being put thereon, a division ensued, and the names being called for, they were taken down as followeth:—

Ryder B. read thrice.

YEAS.

<i>Aylwin,</i>	<i>Crane,</i>	<i>McDonald, (Glen.)</i>	<i>Smith, (Went.)</i>
<i>Buchanan,</i>	<i>Durand,</i>	<i>Merritt,</i>	<i>Sherwood,</i>
<i>Cameron,</i>	<i>Gilchrist,</i>	<i>Powell,</i>	<i>Taché,</i>
<i>Christie,</i>	<i>Hopkins,</i>	<i>Price,</i>	<i>Thorburn.—19.</i>
<i>Cook,</i>	<i>MacNab, Sir A.N.</i>	<i>Roblin,</i>	

NOES.

<i>Baldwin,</i>	<i>Draper, Hon. W.H.</i>	<i>Morris,</i>	<i>Robertson,</i>
<i>Burnet,</i>	<i>Dunlop,</i>	<i>Neilson,</i>	<i>Steele,</i>
<i>Child,</i>	<i>Dunscomb,</i>	<i>Parke,</i>	<i>Viger, Hon. D.B.</i>
<i>Derbshire,</i>	<i>Foster,</i>	<i>Prince,</i>	<i>Watts—18.</i>
<i>De Salaberry,</i>	<i>Holmes,</i>		

So it was carried in the Affirmative.

Ryder carried.

Mr. Attorney General *Draper* moved, seconded by Sir *Allan MacNab*,

Motion that Bill do pass.

That the Bill do pass.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down, as followeth:

YEAS.

<i>Aylwin,</i>	<i>Draper, Hon. W.H.</i>	<i>McNab, Sir A.N.</i>	<i>Robertson,</i>
<i>Baldwin,</i>	<i>Dunscomb,</i>	<i>McDonald, (Pres.)</i>	<i>Roblin,</i>
<i>Burnet,</i>	<i>Dunlop,</i>	<i>McDonald, (Glen.)</i>	<i>Sherwood,</i>
<i>Cameron,</i>	<i>Foster,</i>	<i>Moffatt, Hon. G.</i>	<i>Steele,</i>
<i>Child,</i>	<i>Gilchrist,</i>	<i>Morris,</i>	<i>Taché,</i>
<i>Christie,</i>	<i>Holmes,</i>	<i>Parke,</i>	<i>Taschereau,</i>
<i>Crane,</i>	<i>Hopkins,</i>	<i>Poitel,</i>	<i>Viger, Hon. D.B.</i>
<i>Derbshire,</i>	<i>Johnston,</i>	<i>Price,</i>	<i>Watts.—33.</i>
<i>De Salaberry,</i>			

NOES.

<i>Buchanan,</i>	<i>Durand,</i>	<i>Neilson,</i>	<i>Thorburn.—6.</i>
<i>Cook,</i>	<i>Merritt,</i>		

So it was carried in the Affirmative, and—

Carried.

Resolved—Accordingly.

Ordered—That Mr. Attorney General *Draper*, do carry the said Bill to the Legislative Council, and desire their concurrence.

An engrossed Bill to empower *George Durand, Esq.*, to construct a Canal for Mill purposes, in the Township of *Sarnia*, was read for the third time.

Bill to allow G. Durand to construct a canal, passed.

Resolved—That the Bill do pass.

Ordered—That Mr. *Cameron* do carry the said Bill to the Legislative Council, and desire their concurrence.

An engrossed Bill for improving the administration of Criminal Justice in this Province, was read for the third time.

Criminal Justice administration Bill, passed.

Resolved—That the Bill do pass.

Ordered—That Mr. *Black* do carry the said Bill to the Legislative Council, and desire their concurrence.

An engrossed Bill for consolidating and amending the Laws in this Province relative to Larceny, and other offences connected therewith, was read for the third time.

Larceny Bill passed.

Resolved—That the Bill do pass.

Ordered—That Mr. *Black* do carry the said Bill to the Legislative Council and desire their concurrence.

Bill respecting malicious injuries to property passed

An engrossed Bill for consolidating and amending the Laws in this Province relative to malicious injuries to property, was read for the third time.

Resolved—That the Bill do pass.

Ordered—That Mr. *Black* do carry the said Bill to the Legislative Council and desire their concurrence.

Bill respecting offences against the person passed.

An engrossed Bill for consolidating and amending the Laws in this Province relative to offences against the person, was read for the third time.

Resolved—That the Bill do pass, and that the title be, “*An Act for consolidating and amending the Statutes in this Province, relative to offences against the person.*”

Ordered—That Mr. *Black* do carry the said Bill to the Legislative Council, and desire their concurrence.

Amendments to Gaspé Fisheries Bill to be considered to-morrow.

On motion of Mr. *Christie*, seconded by the Honourable Mr. *Viger*,
Ordered—That the amendmendments made by the Legislative Council to the Bill, intituled “*An Act to regulate the fisheries in the District of Gaspé,*” be taken into consideration to-morrow.

House to adjourn every day, at 5, for to hours, except Saturdays.

The Honourable Mr. *Moffatt* moved, seconded by Mr. *Black*,
That from this day inclusive, until the end of the Session (Saturdays excepted, on which day there shall be no evening sitting,) the Speaker do, without a question, adjourn the House at 6 o'clock, P. M., to meet again at 7 o'clock.

The question having been put upon the said motion, a division ensued, and it passed in the Affirmative.

Resolved—Accordingly.

Order for House in Committee on 2nd Report on Clerk's Office revised, and ordered for Saturday.

On motion of Sir *Allan MacNab*, seconded by Mr. *Sherwood*,
Ordered—That the Order of the day for the House in Committee on the second report of the Special Committee appointed to enquire what assistance it will be necessary to afford to the Clerk, and what offices and departments it will be expedient to establish for the effective and orderly conduct of the business of this House, lost by the adjournment of the House of *Friday* the 13th of *August* last, be revived, and that this House will, on *Saturday* next, resolve itself into the said Committee, and that it be then the second order of the day.

Committee on election for 2nd Riding York have further leave to adjourn.

On motion of Mr. *Roblin*, seconded by Mr. *Aylwin*,
Ordered—That the Committee appointed to try the merits of the Petition of divers Electors of the 2nd Riding of the County of *York*, and of *Connell James Baldwin*, Esq., complaining of the undue election and return of *George Duggan*, Esq., the sitting member for the said 2nd Riding of the County of *York*, have leave to adjourn until *Tuesday*, the 7th inst.

Motion to printed the Journals daily.

Mr. *Derbshire* moved, seconded by Mr. *Prince*,
That the votes and proceedings of the House be printed daily, and, together with the orders of the day, also printed, be delivered at the residence of each member, every morning.

Motion lost

The question having been put on the said motion, a division ensued, and it passed in the Negative.

Bill to pay claims for losses arising from Re-

A Bill to ascertain and provide for the payment of all just claims arising in that part of the Province formerly called *Lower Canada*, out of the

late rebellions and invasions in that portion of this Province, was, according to order, read a second time.

bellion in L. C. read 2nd time.

Ordered—That the said Bill be referred to a Committee of the whole House on *Tuesday* next.

The Order of the day for the second reading of the Bill to extend the Charter of the Bank of *Montreal*, and to increase its capital Stock, being read,

Order for 2nd reading Montreal Bank charter extension Bill postponed till to-morrow.

Ordered—That the said Order of the day be postponed until to-morrow.

A Bill to amend the Charter, and increase the Capital Stock of the *Gore* Bank, was, according to Order, read a second time.

Gore Bank stock increase Bill read 2nd time.

Ordered—That the said Bill be referred to a Committee of the whole House on *Saturday* next.

A Bill to render the Penitentiary near *Kingston*, in the *Midland* District, the Provincial Penitentiary for *Canada*, was, according to Order, read a second time.

Bill to extend operation of Penitentiary read 2nd time.

Ordered—That the said Bill be engrossed.

Bill to be engrossed.

Ordered—That Mr. *Berthelot* have leave to absent himself from this House until the 15th instant, on account of ill health.

Leave of absence to Mr. Berthelot.

On motion of the Honourable Mr. *Harrison*, seconded by Mr. Solicitor General *Day*,

Amendments of Leg. Council to Public Lands sale Bill considered.

Ordered—That the amendments made by the Legislative Council to the Bill intituled “*An Act for the disposal of Public Lands*,” be now taken into consideration.

The House proceeded, accordingly, to take the said amendments into consideration.

And the said amendments were read, and are as followeth.—

Press 3, Line 10—After the 16th Clause, insert Clause A.

Amendments.

CLAUSE A.

“And be it enacted, that it shall not be lawful for any District Agent appointed under the authority of this Act, directly or indirectly to purchase any land which such District Agent shall be appointed to sell, as aforesaid; and if such District Agent shall offend in the premises, he shall forfeit his said office.”

Press 6, Last Line—After “*Assignees*,” insert the following Proviso: “Provided always, that in case the subscribing witness or witnesses to any such assignment shall be deceased, or shall have left the Province, it shall and may be lawful for the said Commissioner to register any such assignment, upon the production of an affidavit or affidavits, proving the death or absence of such witness or witnesses, and proving also the hand-writing of such witness or witnesses.”

Same Press—After 39th Clause, insert the following Clause, B. :—

CLAUSE B.

“And be it enacted, that any person or persons wilfully swearing falsely to the execution of any such assignment, or to the hand writing, or to the death or absence of any such witness or witnesses, shall be liable to the pains and penalties of wilful and corrupt perjury.”

And the said amendments being again read, they were agreed to by the House.

Amendments agreed to.

Ordered—That the Honourable Mr. *Harrison* do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments

House in Committee
on Message on Public
Improvements.

The Order of the day for the House in Committee to take into consideration the Message of His Excellency the Governor General, relative to Public Improvements, together with the documents accompanying the same, and other references, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Durand* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Progress reported.

And Mr. *Durand* reported, that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered—That the said Committee have leave to sit again to-morrow, and that it be then the first Order of the day.

At 5 o'clock, Mr. Speaker declared the House adjourned until 7 o'clock, P.M.

Jovis, 2^o die Septembris ;

7 o'clock, P. M.

House in Committee
on Beef and Pork in-
spection Bill.

The Order of the day for the House in Committee on the Bill to regulate the inspection of beef and pork, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Morris* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Bill reported amended.

And Mr. *Morris* reported, that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House whenever it shall be pleased to receive the same.

Ordered—That the Report be received to-morrow.

Order for House in
Com. on taxing im-
ported produce, post-
poned till Saturday.

The Order of the day for the House in Committee to consider the expediency of imposing a duty on agricultural and other produce, and also on live stock, imported into this Country from the *United States of America*, being read,

Ordered—That the said Order of the day be postponed until *Saturday* next.

House in Com. on
Usury Law amend-
ment Bill.

The Order of the day for the House in Committee on the Bill to exempt certain mercantile transactions from the operations of the Laws for the prevention of Usury, being read,

The House accordingly resolved itself into the said Committee.

Captain *Steele* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Progress reported.

And Captain *Steele* reported, that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered—That the said Committee have leave to sit again to-morrow.

Remaining Orders of
day postponed.

On motion of Mr. *Morris*, seconded by the Honourable Mr. *Moffatt*,
Ordered—That the Orders of the day that have not been disposed of, be postponed until to-morrow, and that they be then the first Order of the day.

Then on motion of Mr. *Duncomb*, seconded by Mr. *Morris*,
The House adjourned.

Veneris, 3^o die Septembris ;

Anno 5^o Victoriae Reginae, 1841.

The following Petitions were severally brought up, and laid on the table :—

By Mr. Morris—The Petition of *William Logie*, and others, inhabitants of *Kingston* and its vicinity ; the Petition of *William Smart*, and others, inhabitants of the Town of *Brockville* ; and the Petition of *A. Gale*, and others, Trustees of the *Gore* District School.

Petitions brought up.

W. Logie and others.
W. Smart and others.
A. Gale and others.

By Mr. Powell—The Petition of *James Covernton*, and others, inhabitants of the District of *Talbot*.

J. Covernton and others.

By Mr. Hincks—The Petition of *J. Whitehead*, and others, inhabitants of the County of *Oxford*.

J. Withehead and others.

Pursuant to the Order of the day, the following Petitions were read :—

Petitions read.

Of *Ann Richardson*, of *Amherstburg*, *Western* District, stating that her late husband served the *British* Government for forty years in the capacities of Mate and Assistant Surgeon, Surgeon's Mate, and Surgeon ; and died in the service, leaving her unprovided for, with a large family ; and praying relief.

Of Ann Richardson.

Of *Alexander Morris*, and others, inhabitants of the Town of *Brockville*, *Johnstown* District, praying that the House will, previous to their prorogation, take the Bankrupt Law into their serious consideration.

Of A. Morris and others.

Of *Thomas L. Crooke*, and others, inhabitants of the County of *Kent*, praying that the Legislative Assembly may endeavour to obtain the admission of *Canadian* produce into the the Ports of *Great Britain* free of duty.

Of T. L. Crooke and others.

Ordered—That the Petition of the Reverend *Hugh Urquhart*, and Elders, of *St. John's* Church, *Cornwall*, presented to the House on the 25th of *August* last, be referred to the select Committee to which was referred the Bill to repeal certain Acts therein mentioned, and to make provision for the establishment and maintenance of common Schools throughout this Province, and other references.

Petition of Rev. H. Urquhart and others referred to Com. on Schools.

Mr. *Johnston*, from the select Committee to which was referred the Petition of *Lewis Lyman*, of *Beauharnois*, Commissioner of the *North American* Colonial Association of *Ireland* ; with power to report by Bill or otherwise, presented to the House a Bill to secure to and confer upon *Lewis Lyman*, an inhabitant of this Province, the civil and political rights of a natural born *British* Subject ; which was received, and read for the first time.

Committee on Petition of L. Lyman report Bill to naturalize him.

Ordered—That the said Bill be read a second time to-morrow.

Mr. *Roblin*, from the Select Committee to which was referred the Bill to repeal an Act passed in the 5th Session of the Parliament of the late Province of *Upper Canada*, intituled “ *An Act to alter and amend an Act passed during the third Session of the present Parliament*, intituled “ *An Act to authorize the establishment of Boards of Boundary Line Commissioners, within the several districts of this Province,*” and to make “ *further provisions therein,*” reported that the Committee had gone through the Bill and made several amendments thereto, which amendments were again read at the Clerk's table.

Committee on Boundary Commissionners Act of U. Canada report Bil as amended.

Ordered—That the said Bill and report be referred to a Committee of the whole House, to-morrow.

Bill referred to Com. of whole to-morrow.

Committee on Petition
of E. Parent present
report.

Mr. *Baldwin* from the Select Committee to which was referred the Petition of *E. Parent*, Esq., presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth :—

Report.

“ The Committee to whom was referred the Petition of *Etienne Parent* Law Clerk of the late House of Assembly of *Lower Canada*, have carefully examined the said Petition, and after having satisfied themselves of the correctness of the facts therein set forth, have come unanimously to the following conclusions :

That it is not just that the Petitioner should suffer from the difference which arose as to the mode of his appointment, particularly as the same was acknowledged in the Despatch from the Secretary of State, sent down to the House of Assembly by His Excellency the then Governor-in-Chief of the late Province of *Lower Canada*, as being a mere matter of form ; and the more so as the claim on the part of the Executive Government in respect of the appointment, was not absolute in its terms, but amounted merely to raising the question, which remained to be subsequently settled between two high constituted authorities ; and pending which, it would have been presumption in *Mr. Parent* to have taken upon himself to pre-judge the matter by declining to perform the duties of the office.

That the said question, owing to the peculiar circumstances that have occurred in the late Province of *Lower Canada*, has never been settled, or even discussed, and it as now ceased, in the opinion of your Committee, to be a question which it would be expedient to re-open.

Mr. Parent, has since become a Representative of the People, and thereby assumed duties inconsistent with the appointment alluded to ; but your Committee are of opinion that he ought, in justice, to be placed on the same footing with all the other Officers of the late House of Assembly of *Lower Canada*, up to the day on which he consented to be elected as a Member of your Honourable House.

Your Committee is also of opinion that *Mr. Parent*, having been deprived for several years of the remuneration to which he was entitled, as an Officer of the House of Assembly of the late Province of *Lower Canada*, and having performed the duties of his Office until the suspension of the Constitution of that Province, should receive a reasonable compensation for the loss he has suffered, from not having received that to which he is, in the opinion of your Committee, entitled, at the same time that the other Officers of the House were paid their respective claims.”

Committee on Petition
of S. Garnsey and
others, report.

Mr. *Powell*, from the select Committee to which was referred the Petition of *Samuel Garnsey*, and others, inhabitants of the Township of *Bayham*, and other references, presented to the House the report of the said Committee, which was again read at the Clerk's table, and is as followeth :—

Report.

“ Your Committee have carefully considered the Petition of *John Toyne* and others, of the Township of *Oakland*, and are of opinion, that, from the peculiar position of that Township, it being situated at a remote distance from the District Town of the District of *Brock*, and within a much less distance from the District Town of the *Talbot* District, it would be conducive to the interests of its Inhabitants, if that Township were attached to the last named District ; nevertheless, as it has appeared in evidence before your Committee, that a portion of the Inhabitants of that Township are averse to the change, your Committee are not prepared to recommend a compliance with the prayer of the Petition at present.

As regards the Petition of *Samuel Garnsey*, and others, of the Township of *Bayham*, your Committee are of opinion, that that Township

has strong claims to being attached to the County of *Norfolk*, for several reasons, amongst which may be enumerated.

1st.—Its proximity to the District Town of the *Talbot* District.

2nd.—The doubtful position in which that Township is placed as to what County, if any, it actually belongs.

3rd.—The very general anxiety manifested by the inhabitants of the Township as appears, from various Petitions and letters, [that the said Township should be attached to the County of *Norfolk*.—

Your Committee have also considered the Petition of *James Covernton*, and others, of the District of *Talbot*, and are of opinion that the very limited extent of the District, as set forth in that Petition, affords an additional reason for annexing to it the Township of *Bayham*,

Your Committee, therefore, recommend, that the Township of *Bayham* be annexed to the County of *Norfolk*, in the District of *Talbot*.”

Ordered—That the said Report be referred to a Committee of the whole House on *Monday* next.

Ordered—That Mr. *Duggan* have further leave to absent himself from this House until the 10th Instant.

The Order of the day for taking into consideration the amendments made by the Legislative Council to the Bill entitled “ *An Act to regulate the currency of this Province*,” being read,

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth :

Press 3, Line 8.—Leave out “ Three” and insert “ four”,

Press 4, Line 17.—After “ Coined” insert “ before the passing of this Act”.

Press “ Line 23—After “ Coined” insert “ before the passing of this Act.”

Press “ Line 28 After “ Coined” insert “ before the passing of this Act.”

Press “ Line 38—After “ Shillings” insert “ and one penny.”

Press “ Line 39—After “ and” insert “ the half dollar of any of the Nations, States, or Governments, and date, herein before mentioned, and of the proportionate weight, shall pass for two shillings, six pence, and a half penny, currency, each, and such “ dollar or half dollar”

Press. 4 Line 39—After the word “ Amount” leave out all the words to “ any” in the 40th line, and insert “ but the other”.

Press 4 Line 41—Leave out “ when” and insert “ and,”

Press “ Line 42—After “ weights” insert “ shall pass at the rates hereinafter mentioned, to wit ; the quarter for one shilling and three pence, currency, the eighth for seven pence and one half penny, currency, each.”

Press 4 Line 44—Leave out “ five pounds” and insert “ two pounds ten shillings”

Press 5, Line 20—After “ shillings” insert “ and one penny.”

Press 5, Line 20—After “ currency” leave out all the words to “ rates,” in the 27th line, and insert “ which said *British Crown*, and all other divisions of the silver coin of the United Kingdom of *Great Britain* and *Ireland*, lawfully current therein, of proportionate weight, shall, for proportionate sums, pass current, and,”

Press 4 Line 28—Leave out “ five pounds” and insert “ two pounds ten shillings.

And the first to the fifth, inclusive of the said amendments being again severally read and the question of concurrence being separately put thereon, they were agreed to by the House.

Report referred to Com. of whole on Monday.

Leave of absence to Mr. Duggan.

House in Com. on Amendments of L. Council to Currency Bill.

Amendments.

1st. to 5th Amendments agreed to.

- 6th & 7th agreed to The sixth and seventh of the said amendments being again severally read, and the question of concurrence being separately put thereon, the House divided upon each, and they were carried in the affirmative.
- Remaining Amendments agreed to The residue of the said amendments being again severally read, and the question of concurrence being separately put thereon, they were agreed to by the House.
Ordered—That Mr. *Holmes* do carry back the said Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their amendments.
- Resolution proposed respecting the influence of Parliament over the Executive Government. Mr. *Baldwin* moved to Resolve, seconded by the Honourable Mr. *Viger*,
 That the most important, as well as the most undoubted, of the political rights of the people of this Province, is that of having a Provincial Parliament, for the protection of their liberties, for the exercise of a constitutional influence over the Executive Departments of their Government, and for Legislation upon all matters which do not, on the grounds of absolute necessity, constitutionally belong to the Jurisdiction of the Imperial Parliament, as the paramount authority of the Empire.
- Orders of day moved The Honourable Mr. *Moffatt* moved, seconded by Mr. *Sherwood*,
 That the Orders of the day be now called.
- Lost. The question being put upon the said motion, a division ensued, and it passed in the Negative.
- Motion to consider the Resolution to-morrow. Sir *Allan MacNab* moved, seconded by Captain *Steele*,
 That the said Resolution be taken into consideration in a Committee of the whole House to-morrow.
- Lost. The question being put upon the said motion, a division ensued, and it passed in the Negative.
- Amendment to Resolution moved. The Honourable Mr. *Harrison* then moved, in amendment to the main motion, seconded by Mr. *De Salaberry*,
 That all the words after “That” in the said motion be struck out, and the following substituted: “the most important, as well as the most undoubted, of the political rights of the people of this Province, is that of having a Provincial Parliament, for the protection of their liberties, for the exercise of a constitutional influence over the Executive Departments of their Government, and for Legislation upon all matters of internal Government.”
- Amendment carried. The question being put upon the motion, of amendment, it was agreed to unanimously.
- Main motion as amended carried. The question being then put upon the main motion as amended, was also agreed to, and—
Resolved accordingly.
- Resolution proposed declaring the Governor only responsible to Home Government. Mr. *Baldwin* moved to Resolve, seconded by the Honourable Mr. *Viger*,
 That the head of the Provincial Executive Government of the Province being, within the limits of his Government, the Representative of the Sovereign, is not constitutionally responsible to any other than the Authorities of the Empire.
- Amendment moved. The Honourable Mr. *Harrison* moved, in amendment, seconded by Mr. *De Salaberry*,
 That all the words after “That,” in the said motion, be struck out, and the following substituted: “the head of the Executive Government of the Province being, within the limits of his Government, the Representative of the Sovereign, is responsible to the Imperial authority alone; but that, nevertheless, the management of our local affairs can only be conducted by him, by and with the assistance, counsel and information, of subordinate Officers in the Province.”

The question being put upon the motion of amendment, it was agreed to unanimously. Amendment carried.

The question being then put upon the main motion, as amended, it was also agreed to, and— Main motion as amended carried.

Resolved accordingly.

Mr. *Baldwin* moved to Resolve, seconded by the Honourable Mr. *Viger*, Resolution proposed declaring that the Governor must use the advice of subordinate officers.

That the Representative of the Sovereign, for the proper conduct and efficient disposal of the public business, is necessarily obliged to make use of the advice and assistance of Subordinate Officers, in the Administration of his Government.

The question being put upon the said motion, it passed unanimously in the Negative. Lost.

Mr. *Baldwin* moved to Resolve, seconded by the Honourable Mr. *Viger*, Resolution proposed declaring that the principal officers of Government should be possessed of the public confidence.

That in order to preserve that harmony between the different branches of the Provincial Parliament, which is essential to the happy conduct of public affairs, the principal of such Subordinate Officers, advisers of the Representatives of the Sovereign, and constituting, as such, the Provincial Administration under him, as the head of the Provincial Government, ought always to be men possessed of the public confidence, whose opinions and policy, harmonizing with those of the Representatives of the people, would afford a guarantee that the well understood wishes and interests of the people, which our Gracious Sovereign has declared shall be the rule of the Provincial Government, will at all times be faithfully represented to the head of that Government, and through him to the Sovereign, and Imperial Parliament.

The Honourable Mr. *Harrison* moved, in amendment, seconded by Mr. *De Salaberry*, Amendment moved.

That all the words after "That," in the said motion, be struck out, and the following substituted: "in order to preserve, between the different branches of the Provincial Parliament, that harmony which is essential to the peace, welfare and good Government, of the Province, the chief Advisers of the Representative of the Sovereign, constituting a Provincial Administration under him, ought to be men possessed of the confidence of the representatives of the people, thus affording a guarantee that the well understood wishes and interests of the people, which our Gracious Sovereign has declared shall be the rule of the Provincial Government, will, on all occasions, be faithfully represented and advocated."

The question being but upon the motion of amendment, a division ensued, and the names being called for, they were taken down, as followeth:—

YEAS.

<i>Aylwin,</i>	<i>De Salaberry,</i>	<i>McDonald, (Pres.)</i>	<i>Ruel,</i>
<i>Baldwin,</i>	<i>Draper, Hon. W.H.</i>	<i>Merritt,</i>	<i>Simpson,</i>
<i>Barthe,</i>	<i>Dunlop,</i>	<i>Moore,</i>	<i>Small,</i>
<i>Boswell,</i>	<i>Dunn, Hon. J.H.</i>	<i>Morin,</i>	<i>Smith, (Fron.)</i>
<i>Buchanan,</i>	<i>Dunscomb,</i>	<i>Morris,</i>	<i>Smith, (Went.)</i>
<i>Cameron,</i>	<i>Durand,</i>	<i>Neilson,</i>	<i>Steele,</i>
<i>Chesley,</i>	<i>Foster,</i>	<i>Parent,</i>	<i>Taché,</i>
<i>Child,</i>	<i>Gilchrist,</i>	<i>Parke,</i>	<i>Thompson,</i>
<i>Christie,</i>	<i>Harrison, Hon. S.B.</i>	<i>Powell,</i>	<i>Thorburn,</i>
<i>Cook,</i>	<i>Hincks,</i>	<i>Price,</i>	<i>Turcotte,</i>
<i>Crane,</i>	<i>Holmes,</i>	<i>Prince,</i>	<i>Viger, Hon. D.B.</i>
<i>Daly, Hon. D.</i>	<i>Hopkins,</i>	<i>Quesnel,</i>	<i>Williams,</i>
<i>Day, Hon. C. D.</i>	<i>Killaly, Hon. H.H.</i>	<i>Robertson,</i>	<i>Woods,</i>
<i>Derbishire,</i>	<i>Kimber,</i>	<i>Roblin,</i>	<i>Yuk. —56.</i>

NOES.

Burnet, *MacNab, Sir A. N. Moffatt, Hon. G. Watts.—7.*
Cartwright, *McLean,* *Sherwood,*

Amendment carried

So it was carried in the affirmative.

Main motion as amended carried.

The question being then put upon the main motion, as amended, it was agreed to, and—

Resolved—Accordingly.

Resolution proposed, rendering advisers of the Government responsible for its acts.

Viger,

Mr. *Baldwin*, moved to Resolve, seconded by the Honourable Mr. *Viger*, That as it is practically always optional with such advisers, to continue in, or retire from, Office, at pleasure, this House has the constitutional right of holding such advisers politically responsible for every Act of the Provincial Government, of a local character, sanctioned by such Government, while such advisers continue in Office.

Amendment made.

The Honourable Mr. *Harrison* moved, in amendment, seconded by Mr. *De Salaberry*,

That all the words after “that,” in the said motion, be struck out, and the following substituted “the People of this Province have, moreover, a right to expect from such Provincial administration, the exertion of their best endeavours that the Imperial authority, within its constitutional limits, shall be exercised in the manner most consistent with their well understood wishes and interests.”

The question being put upon the motion of amendment, it was agreed to, unanimously.

Main motion as amended carried.

The question being then put upon the main motion, as amended, it was also agreed to, and—

Resolved—Accordingly.

Resolution proposed respecting exercise of powers of Imperial Government.

Viger,

Mr. *Baldwin*, moved to Resolve, seconded by the Honourable Mr. *Viger*, That for the like reason, this House has the constitutional right of holding such advisers, in like manner, responsible for using, while they continue in Office, their best exertions to procure from the Imperial authorities, the exercise of their right of dealing with such matters, affecting the interests of the Province, as constitutionally belong to those authorities, in the manner most consistent with the well understood wishes and interests of the People of this Province.

Lost.

The question being put upon the said motion, it passed unanimously in the Negative.

Motion to refer Report on Petition of *E. Parent* to Com. of whole.

Mr. *Baldwin* moved, seconded by Mr. *Aylwin*,

That the Report of the select Committee to which was referred the Petition of *E. Parent*, Esquire, be referred to a Committee of the whole House to-morrow.

Amendment made.

Mr. *Thorburn*, moved in amendment, seconded by Captain *Steele*,

That all the words after “That,” in the said motion be struck out, and the following substituted “the said report be referred to the Special Committee on the contingent accounts and expenses of the present Session.”

Motion as amended, carried.

The question being put upon the motion of amendment, it was agreed to unanimously.

The question being then put upon the main motion, as amended, it was also agreed to, and—

Ordered—Accordingly.

Members added to Com. on contingencies

Ordered—That Mr. *Aylwin*, and Mr. *Morin*, be added to the said Committee.

On motion of Mr. *Williams*, seconded by Mr. *Small*,

Ordered—That the Committee appointed to try the merits of the

Petition of *Robert Melville*, and *John McBride*, electors of the Town of *Niagara*, complaining of the undue election and return of *Edward Clarke Campbell*, Esquire, sitting Member for the said Town of *Niagara*, have leave to adjourn until the 8th instant, in consequence of the commission appointed to take evidence on the said contested election, not being returned, and the probability of its receipt on that day.

Leave to Committee on Niagara Election to adjourn till 8th inst.

Mr. *Durand* moved, seconded by Mr. *Price*,

That 500 copies, in each of the *French* and *English* languages, of the proceedings of this House on responsible Government, be printed, for the use of the Members of this House.

500 copies of proceedings on Responsible Government to be printed each in English & French.

The question having been put upon the said motion, a division ensued, and it was carried in the affirmative.

Ordered—Accordingly.

Mr. *Morris*, from the Committee of the whole House on the Bill to regulate the Inspection of Beef and Pork, reported, according to Order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's Table, and agreed to by the House.

Chairman of Com. of whole on Beef and Pork Inspection Bill report amendments to Bill.

Ordered—That the said Bill, as amended, be engrossed.

Bill to be engrossed.

The Order of the day for the second reading of the Bill to extend the charter of the City Bank of *Montreal* and to increase its Capital Stock, being read,

Order for 2nd reading Bill to increase stock of Montreal City Bank postponed.

Ordered—That the said Order of the day be postponed until to-morrow.

The Order of the day for the second reading of the Bill to extend the charter of the *Quebec* Bank, being read,

Order for 2nd reading Quebec Bank Charter extension Bill postponed.

Ordered—That the said Order of the day be postponed until to-morrow.

The Order of the day for the second reading of the Bill for the erection of certain Townships in the County of *Kent*, into a separate District, being read,

Order for 2nd reading Bill to erect a new District in Kent, postponed.

Ordered—That the said Order of the day be postponed until *Monday* next.

A Bill to establish a Court in this Province for the trial of Impeachments, was, according to Order, read a second time.

Court of Impeachment Bill read 2nd time.

Ordered—That the said Bill be referred to a Committee of the whole House on *Monday* next.

The Order of the day for the second reading of the Bill to provide for the voluntary commutation of the Seignorial Tenures in the Seignories of *Lower Canada*, being read,

Order for 2nd reading Seignorial Tenure commutation Bill postponed.

Ordered—That the said Order of the day be postponed until *Monday* next.

A Bill to extend the charter of the Bank of *Montreal*, and to increase its capital stock, was, according to order, read a second time.

Montreal Bank stock increase Bill read, 2nd time.

Ordered—That the said Bill be referred to a Committee of the whole House on *Wednesday* next.

A message from the Legislative Council, by *John Godfrey Spragge*, Esq., Master in Chancery.

Message from Leg. Council.

MR. SPEAKER,

The Legislative Council have passed the following Bills, without any amendment :

Bill passed Legislative Council.

“ *An Act to amend the Ordinances of the Legislature of the late Pro-*

Bill to amend Mon-

treal roads ordinance. "since of Lower Canada, providing for the improvement of the roads in the neighbourhood of the city of Montreal."

Simcoe Loan Bill "An Act to increase the sum which may be raised, under a certain Act therein mentioned, for defraying the costs of certain Public Buildings in the county of Simcoe."

And also—

Bill for the administration of Justice in the Magdalen Islands sent down amended.

The Legislative Council have passed the Bill intituled "An Act to provide temporarily for the administration of Justice in the Magdalen Islands, in the Gulf of St. Lawrence," with several amendments, to which they desire the concurrence of the Assembly.

And then he withdrew.

House in Com on Message on Public Improvements.

The Order of the day for the House in Committee to take into consideration the Message of His Excellency, the Governor General, relative to Public Improvements, together with the documents accompanying the same, and other references, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Durand* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Progress reported

And Mr. *Durand* reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered—That the said Committee have leave to sit again to-morrow, and that it be then the first order of the day.

House in Committee on Usury Law amendment Bill.

The Order of the day for the House in Committee on the Bill to exempt certain Mercantile transactions from the operation of the laws for the prevention of Usury, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Christie* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Progress reported

And Mr. *Christie* reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered—That the said Committee have leave to sit again at the next sitting of the House.

At 5 o'clock, Mr. Speaker declared the House adjourned until 7 o'clock, P.M.

Veneris, 3^o die Septembris ;

Seven o'Clock, P. M.

House in Committee on Usury Bill.

The Order of the day for the House in Committee on the Bill to exempt certain Mercantile transactions from the operation of the Laws for the prevention of usury, being read,

The House accordingly resolved itself into the said Committee.

Captain *Steele* took the chair of the Committee, and after some time spent therein,

Committee rises

Mr. Speaker resumed the chair.

House in Committee on Bill for relief of purchasers at Sheriffs sales.

The Order of the day for the House in Committee on the Bill for the relief of purchasers at certain Sheriffs sales, made after such Sheriffs had been out of office, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Derbshire* took the chair of the Committee, and after some time spent therein,

Committee rises.

Mr. Speaker resumed the chair.

The Order of the day for the House in Committee on the Bill to facilitate a legal remedy to persons having claims against Her Majesty's Provincial Government being read,

House in Committee on Bill to facilitate claims against the Government.

The House accordingly resolved itself into the said Committee.

Mr. *Roblin* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Roblin* reported, that the Committee had gone through the Bill, without making any amendments thereto, which he was directed to report to the House whenever it shall be pleased to receive the same.

Bill reported without amendment.

Ordered—That the Report be received to-morrow.

The Order of the day for the House in Committee on the Bill to regulate the inspection of flour and meal, being read,

House in Committee on Flour and Meal inspection Bill.

The House accordingly resolved itself into the said Committee.

Mr. *Thorburn* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Thorburn* reported, that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House whenever it should be pleased to receive the same.

Bill reported amended.

Ordered—That the Report be received to-morrow.

The Order of the day for the House in Committee on the Bill to compel all candidates at any future elections for members of the Legislative Assembly, to make and subscribe detailed declarations of the property by them possessed, and under which they qualify, being read,

House in Com. on Bill to compel candidates to declare their qualifications.

The House accordingly resolved itself into the said Committee.

Mr. *Henry Smith* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Henry Smith* reported, that the Committee had gone through the Bill, without making any amendments thereto, and the Report was again read at the Clerk's table.

Bill reported without amendment.

Ordered—That the said Bill be engrossed.

Bill to be engrossed.

Mr. *Cartwright* moved, seconded by Sir *Allan MacNab*,

That the Orders of the day, that have not been disposed of, be postponed until to-morrow, and that they be then the first Orders of the day.

Remaining orders of day postponed.

The question having been put upon the said motion, a division ensued and it was carried in the Affirmative.

Ordered—accordingly.

Then, on motion of Mr. *Derbshire*, seconded by Mr. *Henry Smith*,
The House adjourned.

Sabbati. 4^o die Septembris;

Anno 5^o Victoriae Reginae, 1841.

The following Petitions were severally brought up, and laid on the table:—

Petitions brought up.

By Mr. *Watts*—The Petition of *James Brady*, and others, inhabitants of the County of *Drummond*.

J. Brady and others.

Board of Trade Toronto, and Huron Rail Road Company.

By Mr. *Buchanan*—The Petition of the Board of Trade of *Toronto*; and the Petition of the Directors of the *Toronto* and *Lake Huron* Railroad Company.

J. Crooks.

By Mr. *Merritt*—The Petition of *James Crooks*, of *West Flamborough*, stating that thirteen days previous to the late war with the *United States*, the *Americans* captured a schooner belonging to him, and praying relief.

Mr. *Merritt* moved, seconded by Mr. *Thorburn*,

That the said Petition be now read, and that the rule of this House of the 28th of *June* last, be dispensed with as to the present Petition.

The question having been put upon the said motion, a division ensued, and it was carried in the Affirmative.

The said Petition was read accordingly.

Petitions read.

Pursuant to the Order of the day, the following Petitions were read:—

Of Rev. D. Allan, and others.

Of the Reverend *Daniel Allan*, and others, Inhabitants of *Stratford* and vicinity, praying that the Bible may be used as a class book in all the Schools in the Province.

Of F. Nadeau

Of *Françoise Nadeau*, Widow of the late *Joseph Trudeau*, of the Parish of *St. Cyprien*, praying that she may be remunerated for losses sustained during the late Rebellion.

Of F. Denicourt.

Of *François Denicourt*, of the Parish of *St. Marie*, Farmer, praying to be indemnified for losses sustained during the late Rebellion.

Of P. E. Taschereau, and others.

Of *P. E. Taschereau*, and others, Inhabitants of the District of *Chaudiere*, praying that some enactment may be passed to alter the manner in which the Ordinance establishing District Councils is about being put into operation.

Of H. Smith

Of *Henry Smith*, Superintendent of the Provincial Penitentiary, stating that since *March*, 1838, he has been at the expense of paying his servants, and has performed the duties of a Deputy since *May*, 1838, and praying relief.

Of N. Starke, and others.

Of *N. Starke*, and others, Inhabitants of the Counties of *Carleton* and *Lanark*, praying that the Legislative Assembly will adopt measures for the improvement of the road from *Bytown* to *Sydenham*.

Of James Cummings and others.

Of *James Cummings*, and others, Inhabitants of the District of *Niagara*, praying that the Legislative Assembly will adopt measures for inquiring into the condition of the *Canadian* prisoners, in exile for political offences, in *Vandiemans Land*, and elsewhere.

Motion to refer Petition of J. Crooks, to Select Com.

Mr. *Merritt* moved, seconded by the Honourable Mr. *Moffatt*,

That the Petition of *James Crooks*, of *West Flamborough*, be referred to a select Committee composed of the Honourable Mr. *Moffatt*, Mr. *Simpson*, Mr. *Dunlop*, and Mr. *Thorburn*, to examine the contents thereof and report thereon with all convenient speed; with power to send for persons, papers, and records.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down, as followeth:

YEAS.

<i>Aylwin,</i>	<i>Dunscomb,</i>	<i>Price,</i>	<i>Taschereau,</i>
<i>Buchanan,</i>	<i>Gilchrist,</i>	<i>Prince,</i>	<i>Thompson,</i>
<i>Burnet,</i>	<i>MacNab, Sir A.N.</i>	<i>Roblin,</i>	<i>Thorburn,</i>
<i>Cartwright,</i>	<i>Merritt,</i>	<i>Small,</i>	<i>Williams,</i>
<i>Christie,</i>	<i>Moffatt, Hon. G.</i>	<i>Sherwood,</i>	<i>Woods,</i>
<i>Cook,</i>	<i>Parkc,</i>	<i>Steele,</i>	<i>Yule.—27.</i>
<i>Dunlop,</i>	<i>Powell,</i>	<i>Taché,</i>	

NOES.

Baldwin, *Derbishire,* *Neilson,* *Quesnel,*
Barthe, *De Salaberry,* *Ogden, Hon. C. R. Viger, Hon. D. B.*
Crane, *Foster,* *Parent,* *Watts.—14.*
Day, Hon. C. D. Johnston,

So it was carried it the affirmative, and—
Resolved—Accordingly.

Carried.

Petitions referred.

On motion of Mr. *Taschereau*, seconded by Mr. *Taché*.

Resolved—That the Petition of *P. E. Taschereau*, and others, Inhabitants of the District of *Chaudière*, be referred to a select Committee composed of the Honourable Mr. *Daly*, Mr. *Neilson*, Mr. *Morin*, and Mr. *Aylwin*, to examine the contents thereof, and report thereon with all convenient speed, by Bill or otherwise ; with power to send for persons, papers, and records.

Of P. E. Taschereau & others, to sel. Com.

Ordered—That the Petition of the Reverend *Daniel Allan*, and others, inhabitants of *Stratford*, and vicinity, be referred to the select Committee to which was referred the Bill to repeal certain Acts therein mentioned, and to make provision for the establishment and maintenance of Common Schools throughout the Province, and other references.

Of D. Allan & others to Com. on School Bill.

Mr. *Merritt*, from the Special Committee to which was referred the Petition of *Adam Stull* and *Peter Lampman, J. Decow* and *John Kalar*, presented to the House the report of the said Committee, which was again read at the Clerk's Table, as followeth :—

Com. on Petition of J. Kalar, report.

“ Your Committee having examined the Petition of *John Kalar*, had before them the Honourable *W. H. Draper*, (Attorney General *West*) who corroborated the statements and allegations contained in the Petition, but could point out no mode of relief under the peculiar circumstances of the case.—They also examined the Honourable *S. B. Harrison*, (Secretary *West*) on the subject. From the information thus obtained, your Committee are decidedly of opinion that the Petitioner, *John Kalar*, is entitled to indemnity for his losses, from the Provincial Government.”

Report.

Ordered—That the said Report be referred to a Committee of the whole House on *Wednesday* next.

Report referred to Com. of whole on Wednesday.

Ordered—That Mr. *Prince*, have leave to absent himself from this House, during the remainder of the present Session.

Leave of absence to Mr. Prince.

On motion of Mr. *Small*, seconded by Mr. *Christie*.

Resolved—That this House will, on *Monday* next, resolve itself into a Committee of the whole House, to take into consideration the propriety of explaining and amending certain parts of an Act passed during the last Session of the Parliament of the late Province of *Upper Canada* entitled “ *An Act to repeal alter and amend the Laws now in force for the regulation of the several Macadamized roads within this Province.*”

House to go into Com. on Monday, on U. C. macadamized Roads regulation Act.

On motion of Mr. *Christie*, seconded by Mr. *Thompson*,

Ordered—That the amendments made by the Legislative Council to the Bill intituled “ *An Act to provide temporarily for the administration of Justice in the Magdalen Islands in the Gulf of St. Lawrence,*” be taken into consideration on *Monday* next.

Amendments of L. Council to Magdalen Islands Judicature Bill to be considered on Monday.

Ordered—That Captain *Steele*, have leave to bring in a Bill to authorize the holding of District Courts and Division Courts in and for the county of *Simcoe*.

Bill for holding Dist. & Div. Courts in Simcoe brought in.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time.

Ordered—That the said Bill be read a second time on *Wednesday* next.

Motion for House in Com. on taxing imported produce.

Mr. *Prince* moved, seconded by Mr. *Buchanan*,

For leave to take up the Order of the day for the House in Committee to consider the expediency of imposing a duty on Agricultural and other produce, and also on live stock, imported into this Country from the *United States of America*.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down, as followeth :—

YEAS.

<i>Buchanan,</i>	<i>Gilchrist,</i>	<i>Powell,</i>	<i>Steele,</i>
<i>Cameron,</i>	<i>Hopkins,</i>	<i>Price,</i>	<i>Taschereau,</i>
<i>Cook,</i>	<i>Johnston,</i>	<i>Prince,</i>	<i>Thompson,</i>
<i>Crane,</i>	<i>McLean,</i>	<i>Roblin,</i>	<i>Thorburn,</i>
<i>De Salaberry,</i>	<i>Merritt,</i>	<i>Small,</i>	<i>Williams,</i>
<i>Dunlop,</i>	<i>Parke,</i>	<i>Smith, (Fron.)</i>	<i>Woods.24.</i>

NOES.

<i>Aylmer,</i>	<i>Day, Hon. C. D.</i>	<i>Kimber,</i>	<i>Sherwood,</i>
<i>Baldwin</i>	<i>Derbshire,</i>	<i>Moffatt, Hon. G.</i>	<i>Taché,</i>
<i>Barthe,</i>	<i>Dunscumb,</i>	<i>Neilson,</i>	<i>Turcotte,</i>
<i>Black,</i>	<i>Foster,</i>	<i>Ogden, Hon. C. R.</i>	<i>Viger, Hon. D. B.</i>
<i>Barnet,</i>	<i>Harrison, Hon. S. B.</i>	<i>Parent,</i>	<i>Yule.—23.</i>
<i>Cristie,</i>	<i>Holmes,</i>	<i>Simpson,</i>	

Carried.

So it was carried in the Affirmative.

House in Com on the same.

And the House accordingly resolved itself into the said Committee.

Mr. *Turcotte* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Resolution reported.

And Mr. *Turcotte* reported, that the Committee had come to a Resolution, which he was directed to submit to the House whenever it shall be pleased to receive the same.

Ordered—That the Report be received on *Monday* next.

Message from His Excellency.

The Honourable *S. B. Harrison*, one of Her Majesty's Executive Council, delivered to Mr. Speaker a Message from His Excellency, the Governor General, signed by His Excellency.

And the said Message was read by Mr. Speaker, all the members of the House being uncovered, and is as followeth :—

SYDENHAM,

Message in answer to address for pardon of political offences.

In reply to their Address of the 30th *August*, the Governor General assures the House of Assembly, that both in the advice which he may be called on humbly to tender to the Queen, and in the exercise of the prerogative of the Crown, where that power is entrusted to himself, within the Colony, it is, and will continue to be, his anxious desire to treat all cases, connected with the late unhappy disturbances, with the utmost indulgence which may be compatible with the safety of the Crown and the security of the Province.

The Governor General will not fail to bring the expression of the wishes of the House of Assembly, as conveyed in this Address, under the notice of Her Majesty's Government.

Kingston, September 4, 1841.

On motion of Mr. *Aylwin*, seconded by Mr. *Parent*.

Resolved—That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before this House, a copy of the Commission of the immediate predecessor in the office of the Collector of Customs at *Coteau du Lac*, of the present incumbent, and the date of the resignation or removal from office of the said immediate predecessor.

Ordered—That the said Address be presented to His Excellency by such members of this House as are of the Honourable the Executive Council of this Province.

Mr. *Roblin*, from the Committee of the whole House on the Bill to facilitate a remedy to persons having claims against Her Majesty's Provincial Government, reported, according to Order, the Bill, without any amendment, and the Report was again read at the Clerk's table.

Ordered—That the said Bill be engrossed.

Mr. *Thorburn*, from the Committee of the whole House on the Bill to regulate the inspection of flour and meal, reported, according to Order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered—That the said Bill as amended, be engrossed.

A Bill to secure to, and confer upon, *Lewis Lyman*, an inhabitant of this Province, the civil and political rights of a natural born *British* subject, was, according to Order, read a second time.

Ordered—That the said Bill be engrossed.

A Bill to extend the Charter of the City Bank of *Montreal*, and to increase its Capital Stock, was, according to Order, read a second time.

Ordered—That the said Bill be referred to a Committee of the whole House on *Wednesday* next

A Bill to extend the Charter of the *Quebec* Bank, was, according to Order, read a second time.

Ordered—That the said Bill be referred to a Committee of the whole House, on *Wednesday* next.

The Order of the day for the House in Committee to consider the expediency of repealing a certain Ordinance of the Governor and Special Council of the late Province of *Lower Canada*, intituled "*An Ordinance to provide for the more easy and expeditious administration of Justice in Civil Causes, and matters involving small pecuniary value and interest, throughout this Province,*" and to provide, by other Legislative Enactments, for that object, being read,

On motion of Mr. Attorney General *Ogden*, seconded by Mr. *Aylwin*,

Ordered—That it be an instruction to the said Committee to consider the expediency of further extending the power of His Excellency, the Governor General, to bring into force the Ordinance of the 4th VICTORIA, Chapter 26 intituled "*An Ordinance to facilitate the despatch of the business now before the Court King's Bench for the District of Montreal;*" and also of extending the period during which it shall be lawful for the Governor to bring into force, by Proclamation, the Ordinance of the 4th VICTORIA, Chapter 45, intituled "*An Ordinance to establish new Territorial Divisions of Lower Canada, and to alter and amend the Judicature, and to provide for the better and more efficient administration of Justice throughout the Province,*"—and such other Ordinance and parts of Ordinances, as may be essential to the working of the Ordinance last mentioned, not yet in force.

The House then resolved itself into the said Committee.

Address for copy of Commission of late Collector at Coteau du Lac, ordered.

Chairman of Com. of whole on Bill to facilitate claimants against Government, reports the Bill.

Bill to be engrossed.

Chairman of Com. of whole on Flour and Meal inspection Bill reports amendments to Bill.

Bill to naturalize L. Lyman, read 2nd time.

Bill to be engrossed.

Montreal City Bank extension Bill read 2nd time.

Quebec Bank extension Bill read 2nd time.

Order for House in Com. on repealing Ordinance for recovery of Small Debts.

Instruction to Com.

House goes into Com.

Mr. *Taché* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Resolutions reported

And Mr. *Taché* reported that the Committee had come to several Resolutions, which Resolutions were again read at the Clerk's Table, and agreed to by the House, and are as followeth :

1st Resolution

Resolved—That it expedient to repeal a certain Ordinance of the Governor and Special Council for that part of this Province heretofore *Lower Canada*, intituled “ *An Ordinance to provide for the more easy and expeditious administration of Justice in civil causes, and matters involving small pecuniary value and interest, throughout this Province.*”

2nd Resolution.

Resolved—That it is expedient further to extend the power of the Governor General, for bringing into operation a certain Ordinance of the Governor and Special Council, intituled “ *An Ordinance to establish new Teritorial Divisions of Lower Canada, and to alter and amend the Jurisdiction, and provide for the better and more efficient administration of Justice throughout this Province,*” and such other Ordinances as may be essential to the working of the Ordinance last mentioned, and are not yet in force.

3rd Resolution.

Resolved—That it is expedient further to continue, for a limited time, a certain Ordinance of the Governor and Special Council, intituled “ *An Ordinance to facilitate the despatch of the Public business now before the Court of King's Bench for the District of Montreal.*”

Bill for recovery of Small Debts in Canada W. brought in.

Ordered—That Mr. Attorney General *Ogden* have leave to bring in a Bill to provide for the more easy and expeditious administration of Justice in civil causes, and matters involving small pecuniary value in that part of this Province heretofore *Lower Canada*.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time.

Ordered—That the said Bill be read a second time on *Monday* next.

Message from Leg. Council.

A message from the Legislative Council, by *John Godfrey Spragge*, Esquire, master in chancery.

MR. SPEAKER,

Bills passed L. Council

The Legislative Council have passed the following Bills, without any amendment :

Montreal aged Women's Asylum Bill

“ *An Act to incorporate the Montreal Asylum for aged and infirm women.*”

Bill to extend provision of a certain Ordinance to a Road on River St. Charles.

“ *An Act to extend the provisions of an Ordinance therein mentioned, to a certain Road on the North Side of the River St. Charles, in the District of Quebec,*”

Bill to amend Act for election of Grand River Directors.

“ *An Act to amend the law regulating the election of Directors of the Grand River Navigation Company.*”

Welland Canal Stock purchase Bill.

“ *An Act to authorize the Stock held by private parties in the Welland Canal to be purchased on behalf of the Province.*”

And also—

Toronto Gas & water Co. Bill sent down amended.

The Legislative Council have passed the Bill, intituled “ *An Act to incorporate a Company under the style and title of the City of Toronto Gas & Light and Water Company*”, with several amendment, to which they desire the concurrence of the Assembly, and then he withdrew.

House in Com. on Message on Pub Improvements.

The Order of the day for the House in Committee to take into consideration the Message of His Excellency, the Governor General, relative to Public Improvements, together with the documents accompanying the same, and other references, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Durand* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Durand* reported that the Committee had come to several Resolutions, which he was directed to submit to the House whenever it shall be pleased to receive the same.

Resolutions reported

Ordered—That the report be received on *Monday* next.

The Honourable *S. B. Harrison*, of Her Majesty's Executive Council, laid before the House, by command of His Excellency, the Governor General, Reports and other Documents connected with light Houses, pursuant to the Provincial Statutes, 7 WILLIAM 4, Chapters 95 and 96.

Reports &c. on Light Houses laid before the House.

For the said Reports and Documents, See Appendix (G. G.)

On motion of Mr. *Aylwin*, seconded by Mr. *Christie*,

Ordered—That the Orders of the day that have not been disposed of be postponed until *Monday* next.

Remaining orders of day postponed.

At 5 o'clock, Mr. Speaker declared the House adjourned until *Monday* next, at 10 o'clock, A. M.

Lunæ, 6^o die Septembris ;

Anno 5^o Victoriae Reginae, 1841.

The following Petitions were severally brought up, and laid on the Table :

Petitions brought up.

By Mr. *Baldwin*—The Petition of *John Post*, and others, inhabitants of the Townships of *Tyendinaga* and *Richmond*.

J. Post.

By the Honourable Mr. *Harrison*—The Petition of *John R. Forsyth* and others, the Committee of Management of the *Kingston Mechanics' Institution*.

J. R. Forsyth & others, (Kingston Mechanics' Institute.)

By Mr. *Price*—The Petition of *Benjamin Thorne*, and other Commissioners of the *Home District Turnpike Trust*.

B. Thorne and others, (Home D. Turnpike Trust.)

By Mr. *Cameron*—The Petition of the Reverend *Alexander Mann*, and others, Inhabitants of the Township of *Packenham* ;—the Petition of *John Paris*, and others, Inhabitants of the Townships of *MacNab* (and *Horton*) ;—and the Petition of *Allan Stewart*, and others, inhabitants of the Township of *MacNab*.

Rev. A. Mann and others.

J. Paris and others.

A. Stuart and others.

By Mr. *Sherwood*—The Petition of *Paul Glassford*, and others, of the Town of *Brockville*.

P. Glassford and others.

By Mr. *Johnston*—The Petition of *Samuel Rowlands*, of the Town of *Niagara*, Printer.

S. Rowlands.

An engrossed Bill to facilitate a legal remedy to persons having claims against Her Majesty's Provincial Government, was read for the third time.

Bill to facilitate claimants against the Government passed.

Resolved—That the Bill do pass.

Ordered—That Mr. *Neilson* do carry the said Bill to the Legislative Council, and desire their concurrence.

An engrossed Bill to regulate the Inspection of Beef and Pork, was read for the third time.

Beef and Pork inspection Bill read 3rd time.

Mr. *Dunscomb* moved, seconded by Mr. *Child*,

That the Bill do pass.

The question having been put upon the said motion, a division ensued, and the names being called for they were taken down, as followeth:—

YEAS.

<i>Aylwin,</i>	<i>Dunscomb,</i>	<i>McDonald, (Pres.)</i>	<i>Smith, (Went.)</i>
<i>Baldwin,</i>	<i>Durand,</i>	<i>Merritt,</i>	<i>Sherwood,</i>
<i>Burthe,</i>	<i>Foster,</i>	<i>Neilson,</i>	<i>Steele,</i>
<i>Black,</i>	<i>Harrison, Hon. S. B.</i>	<i>Parrell,</i>	<i>Thompson,</i>
<i>Buchanan,</i>	<i>Hopkins,</i>	<i>Price,</i>	<i>Viger, Hon. D. B.</i>
<i>Burnet,</i>	<i>McNab, Sir A. N.</i>	<i>Smith, (Fron.)</i>	<i>Woods.—25.</i>
<i>Child,</i>			

NOES.

<i>Cameron,</i>	<i>Cook,</i>	<i>Dunlop,</i>	<i>Johnston.—5.</i>
<i>Chesley,</i>			

Bill passed. So it was carried in the Affirmative, and—
Resolved—Accordingly.

Ordered—That the Honourable Mr. *Moffatt*, do carry the said Bill to the Legislative Council, and desire their concurrence.

Bill to naturalize L. Lyman. passed. An engrossed Bill to secure to, and confer upon, *Lewis Lyman*, an inhabitant of this Province, the Civil and Political rights of a natural born *British* Subject, was read for the third time.

Resolved—That the Bill do pass.

Ordered—That Mr. *Johnston*, do carry the said Bill to the Legislative Council, and desire their concurrence.

Bill to extend Penitentiary system to Canada E. read 3rd time

An engrossed Bill to render the Penitentiary near *Kingston*, in the *Midland* District, the Provincial Penitentiary for *Canada*, was read for the third time.

Mr. *Thorburn* moved, seconded by Captain *Sterle*,

Ryder moved.

That the following engrossed clause, marked A., be added to the said Bill, by way of ryder, and do follow the 4th clause :

CLAUSE A.

And be it enacted, that the Warden of the said Penitentiary shall be allowed the use of servants from among the Convicts confined in the said Penitentiary."

Lost

The question having been put upon the said motion, a division ensued, and it passed in the Negative.

Bill passed

Resolved—That the Bill do pass.

Ordered—That the Honourable Mr. *Daly*, do carry the said Bill to the Legislative Council, and desire their concurrence.

Petitions read.

Pursuant to the Order of the day, the following Petitions were read :

Of W. Logic.

Of *William Logic*, and others, Inhabitants of *Kingston*, and its vicinity, praying that the Legislative Assembly will adopt such measures for the management of the Grammar Schools in this Province as shall command the confidence of all classes of the community.

Of W. Smart

Of *William Smart*, and others, Inhabitants of the Town of *Brockville*, praying that the Legislative Assembly will adopt such measures for the management of the Grammar Schools in this Province, as shall command the confidence of all classes of the community.

Of A. Gale & others

Of *A. Gale*, and others, Trustees of the *Gore* District School, praying that certain amendments may be made to the Act establishing District Schools, and to the Act, 2nd. VICTORIA, chapter 10, converting them into Grammar Schools.

Of *James Covernton*, and others, Inhabitants of the District of *Talbot*, praying that duties may be imposed on produce from the *United States*.

Of J. Covernton and others.

Of *J. Whitehead*, and others, Inhabitants of the County of *Oxford*, praying that certain measures may be adopted, to secure the agricultural and Commercial Interests of this Province.

Of J. Whitehead and others.

Of *James Brady*, and others, Inhabitants of the County of *Drummond*, praying that the Legislature will grant a sum of money for the erection of a Bridge across the River *St. Francis*.

Of J. Brady & others

Of the Board of Trade of *Toronto*, praying that the Bill for the establishment of a Bank of issue may not receive the sanction of the House.

Of Board of Trade of Toronto (Bank of Issue).

Of the directors of the *Toronto* and *Lake Huron* Rail Road Company, praying that the Legislature will allow them to make a planked road on the same terms as the Rail Road.

Of Directors of Toronto & Lake Huron Rail Road Co.

The Honourable Mr. *Day*, from the Select Committee to which was referred the Bill to repeal certain Acts therein mentioned, and to make provision for the establishment and maintenance of Common Schools throughout this Province, and other references, reported that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's Table.

Com. on Common School Bill report Bill as amended.

Ordered—That the said Bill and Report be referred to a Committee of the whole House on *Thursday* next.

Bill referred to Com. of whole on Thursday.

Mr. *Prier*, from the Select Committee to which was referred the Report of the Commissioners appointed by the Provincial Statute of the 10th GEO. the Fourth, intituled "*An Act for settling the affairs of the late Bank at Kingston*," with power to report by Bill or otherwise, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

Committee on Report of Commissioners on late Kingston Bank, present Report and Bill.

That the affairs of the Bank were originally, by an Act of the Provincial Parliament of *Upper Canada*, passed on the 19th day of *March*, in the year 1823, 4 GEO. 4th, (Session 1,) Chapter 22, placed in the hands of the Honourable *George Herchimer Markland*, *John Kirby* and *John Macaulay*, Esquires, as Commissioners and Trustees, under the style of "the Board for settling the affairs of the pretended Bank of *Upper Canada*, lately established at *Kingston*, in this Province;" and in this Board was vested all the estate, both real and personal, bonds, bills, notes and other securities, and stock rights, credits and effects of the said Institution, with power to sue, sell and dispose of all such lands, tenements, hereditaments, goods, chattels, or effects, as might come into their hands by virtue of that Act, and to apply them, after paying the expenses of carrying the Act into effect, in discharge of certain certificates which were to be given by the said Board, to persons substantiating claims upon the said Institution. That further provision was made in respect of the said Institution, by the *Upper Canada* Acts of Parliament of 4th GEO. 4, (Session 2,) Chapter 21—9 GEO. 4th, Chapter 11—10 GEO. 4th, Chap 7 & 6—WIL. 4th, Chap. 22.

Report.

By the Act 10 Geo. 4th, Chapter 7, the former Commissioners and Trustees having resigned, the late *Hugh C. Thompson*, the late *John Strange*, and *Henry Smith*, Esquires, were appointed Commissioners for the purpose of settling the affairs of the said Institution, with provision to appoint new Commissioners to supply vacancies, within one week after they should occur. That after several changes in the Commissioners, by death, removal from the District, resignation, and the omission to appoint new Commissioners within the time prescribed by the said Act, the Board had been reduced to but one Commissioner, *Thomas McNider*, Esquire—in consequence of which, the whole proceedings have been suspended.

That this has, in a great measure, arisen from the difficulty of finding gentlemen willing to undertake the responsibility of acting as Commis-

Rep: 11

sioners; but Your Committee are happy in being able to report, that two gentlemen, residing in the Town of *Kingston*, and every way qualified for the duty, have been, at length, induced to consent to act, viz: *James Nichols*, Esquire, Barrister at Law, and Clerk of the Peace of the *Midland* District, and *George Alexander Cumming*, Esquire, Barrister at Law; and Your Committee therefore recommend the appointment of these gentlemen, with the remaining Commissioner, *Thomas McVider*, Esquire, to make a final close of the affairs of the said Institution.

Your Committee are unwilling to say any thing upon the subject of the past management of the affairs of the Institution, but recommend that the Commissioners to be now appointed should be required, within twelve months, to make a full report on its affairs, to His Excellency, the Governor General, with a view to have the same laid before both Houses of Parliament.

It appears that an unsatisfied claim exists, on the part of the Clerk of the said Board, for services performed and moneys expended, in the performance of his duties—Your Committee therefore recommend that a similar provision should be made for the discharge of this, as was made by the *Upper Canada* Legislature, by the Act 10th GEO. 4th, Chap. 7 in respect of the agent appointed under the authority of the then late Directors to the said Bank.

Your Committee have prepared a Bill for these purposes, which they also recommend to the adoption of Your Honourable House."

Bill to appoint additional Commissioners on late Kingston Bank brought in.

Mr. *Price* then presented to the House, a Bill to appoint additional Commissioners to settle the affairs of the late pretended Bank of *Upper Canada*, at *Kingston*, which was received and read for the first time.

Ordered—That the said Bill be read a second time on *Wednesday* next.

100 copies of Address for pardon of political offences with answer, to be printed in French and English

Captain *Steele* moved, seconded by Mr. *Neilson*, that 100 Copies of the Address of this House, to His Excellency, the Governor General, on the subject of a pardon and amnesty for political offences, with His Excellency's answer thereto, be printed in each of the *English* and *French* languages, for the use of the Members of this House.

The question having been put upon the said motion, a division ensued, and it was carried in the affirmative.

Ordered accordingly.

Journals of Assembly of U. C. read, on Petition of A. Manahan.

On motion of Mr. *Dunlop*, seconded by Mr. *Aylwin*,
Ordered—That the proceedings of the last session of the Parliament of *Upper Canada*, relative to the Petition of *Anthony Manahan*, Esquire, be now read.

The said proceedings were read accordingly.

Address of Assembly on that subject referred to Sel. Com.

Resolved—That the Address passed by the late House of Assembly of *Upper Canada*, in favor of *Anthony Manahan*, Esquire, be referred to a Committee of three Members, to report thereon with all convenient speed; with power to send for persons, papers, and records.

Ordered—That Mr. *Dunlop*, Mr. *Thorburn*, and Mr. *Cook*, do compose the said Committee.

Deposite on Bill to allow N. Am. A. so. of Ireland to loan money to be refunded.

On motion of Mr. *Duncomb*, seconded by Mr. *Prince*,
Ordered—That the £20, deposited (in accordance with the Rule of this House, since rescinded) on account of the Bill to authorize the *North American Colonial Association of Ireland* to loan moneys in the County of *Beauharnois*, be refunded to the Petitioners.

Leave of absence to Mr. Boswell.

Ordered—That Mr. *Boswell* have leave to absent himself from this House, until the 27th Instant.

On motion of Mr. *Black*, seconded by Mr. *Nilson*.

Resolved—That this House do now resolve itself into a Committee of the whole House, to consider the expediency of repealing an Ordinance passed by the Governor and Council of the Province of *Quebec*, in the 17th year of the Reign of His late Majesty King GEORGE the Third, intituled “*An Ordinance for preventing persons leaving the Province without a pass.*”

House in Com. on repealing Ordinance to prevent persons leaving the province without a pass.

The House accordingly resolved itself into the said Committee.

Mr. *Child* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Child* reported that the Committee had come to a Resolution, which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth :

Resolution reported.

Resolved—That it is expedient to repeal an Ordinance passed by the Governor and Council of the Province of *Quebec* intituled “*An Ordinance for preventing persons leaving the Province without a pass.*”

Resolution.

Ordered—That Mr. *Black* have leave to bring in a Bill, to repeal an Ordinance passed by the Governor and Council of *Quebec*, in the 17th year of the Reign of His late Majesty King GEORGE the Third, for preventing persons leaving the Province without a pass.

Bill to repeal above named Ordinance, brought in.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Ordered—That the said Bill be read a second time to-morrow.

The Honourable Mr. *Harrison* moved, seconded by Mr. *Dunsmob*, That it is the opinion of this House that it is expedient that a more strict surveillance, over all Collectors and Receivers of the Revenue, should be exercised, than now exists, and that this House should humbly address His Excellency, the Governor General, to appoint a Comptroller of Customs, under the Great Seal of the Province, for that purpose, whose duty it shall be, among other things, to visit all Receivers of public money, and to examine into the way and manner in which their accounts, vouchers, and books, are kept, as well as the form of the returns made; and that such Comptroller shall have authority to give such instructions and directions, in relation to the keeping all such books and accounts, vouchers or returns, as shall be necessary, in the Judgment of such Comptroller, to be kept and made; with power to suspend for the time being, any officer who may not be acting in accordance to any instruction which it may be found necessary to give to such officers; assuring His Excellency that this House will make provision for such Comptroller.

Motion for Address to His Excellency to appoint a comptroller of Customs.

Mr. *Aylwin* moved in amendment, seconded by Mr. *Buchanan*,

That all the words after “*That*” in the said motion be struck out, and the following substituted: “*A Committee of seven members be appointed, to inquire into the manner according to which the Customs are collected in that part of this Province heretofore Upper Canada, by the Provincial Collectors, and also the manner according to which the monies collected are accounted for by the Collectors; and also to inquire into any abuses in the collecting and accounting for the Customs—to report thereon with all convenient speed; with power to send for persons, papers and records.*”

Amendment moved to appoint a Com. on collections of Customs.

The question being then put upon the motion of amendment, it was agreed to by the House.

Amendment carried.

The question being then put upon the main motion, as amended, it was also agreed to, and—

Main motion as amended carried.

Resolved accordingly.

Members of the Committee

Ordered—That Mr. *Aylmer*, Mr. *Thorburn*, Mr. *Neilson*, Mr. *Morris*, Mr. *Hincks*, Mr. *Chesley*, and Mr. *Price* do compose the said Committee.

Bill to extend time for completion of Port Dover Harbour brought in

Ordered—That Mr. *Powell* have leave to bring in a Bill to extend the time limited by law for the construction and completion of the *Port Dover Harbour*.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time.

Ordered—That the said Bill be read a second time on *Wednesday* next.

Deposites on private Bills to be returned

On motion of Mr. *Holmes*, seconded by Mr. *Cameron*,
Ordered—That the Clerk of this House be instructed to return to all applicants, the fee of £20, deposited by them during this Session, upon the introduction of private Bills.

Instructions to Com. on contingencies respecting emoluments of Clerk of House in L. Canada

On motion of Mr. *Morin*, seconded by Mr. *Raymond*,
Ordered—That it be an instruction to the Special Committee on the contingent accounts and expenses of the present Session, to take into consideration the amount of salary, allowances and perquisites, enjoyed by the Clerk of this House when in office in the late Province of *Lower Canada*, as Clerk to the House of Assembly, and Clerk to the Special Council of that Province.

Amendments of Leg Council to Toronto Gas and Water Co Bill taken up.

On motion of Mr. *Holmes*, seconded by Mr. *Buchanan*,
Ordered—That the amendments made by the Legislative Council to the Bill intituled “*An Act to incorporate a Company under the style and title of ‘The City of Toronto Gas Light and Water Company’*,” be now taken into consideration.

The House proceeded, accordingly, to take the said amendments into consideration,

Amendments.

And the said amendments were read, and are as followeth:—

Press 1, Line 15—After “*Company*” insert the following proviso:—
Provided always, that the said lands, tenements and hereditaments, to be holden by the said Corporation, shall be held for the purposes and business of the said Gas Light and Water Company, in constructing their necessary works, and for no other purposes whatsoever; and shall not exceed at any time the yearly value of £1000, currency.

Press 2, Line 23—After “*Election*” insert “*at their first meeting, choose out of their number a President and Vice President, who shall hold their offices respectively during the same period for which the said Directors shall have been elected as aforesaid, and shall thereupon.*”

Press 2, Line 40—After “*Proprietors*,” insert “*and such Directors, subsequently elected or remaining in office, shall, at their first meeting after such election, or the period named in this Act for holding such annual meeting, shall choose out of their number a President and Vice President, who shall hold their offices respectively for the then ensuing twelve months, or until such subsequent election at a future meeting of the said Shareholders or Proprietors, as the case may be, and it shall be lawful for the said Directors, from time to time, in case of death, resignation, absence from the Province, or removal, of the persons so chosen to be President or Vice President, or Director, or either of them, to choose, in their or his stead, from among them, the said Directors, another person or persons to be President or Vice President, or from among the other shareholders or proprietors, another person or persons to be Director or Directors, respectively, to continue in office until the next annual meeting as aforesaid.*”

Press 3, Line 26—After “*Corporation*” insert “*after three days notice in writing to the Chamberlain of the said City of Toronto.*”

Press. 3, Line 33—Leave out from “Provided” to “Toronto” in the Forty-fifth line, inclusive, and insert “doing no unnecessary damage in the premises, and taking care, as far as may be, to preserve a free and uninterrupted passage through the said streets, squares, and public places, while the work is in progress, and making such openings in such parts of the said streets, squares, and public places, as the City Inspector under the direction of the Common Council of the said City, shall reasonably permit and require; also placing guards or fences, with lamps, and providing watchmen during the night, and taking all other necessary precautions for the prevention of accidents to passengers and others, which may be occasioned by such openings; also finishing the work, and replacing the said streets, squares, and public places, in as good a condition as before the commencement of the work, without any unnecessary delay; and in case of the neglect of any of the duties herein provided as aforesaid, the said corporation shall be subject to pay a fine of five pounds, currency, for every day such neglect shall continue, to be recovered by information in Her Majesty’s Court of Queen’s Bench, on behalf of Her Majesty, Her Heirs and Successors, for the public uses of the Province, over and above such damages as may be recovered in any civil action.”

Press. 3, Line 44—After the 8th Clause, insert, in addition, Clauses A and B.

CLAUSE A.

“And be it further enacted, that in case the said Corporation shall open or break up any street, square, or public place, in the said City, and shall neglect to keep the passage of the said street, square, or public place, as far as may be, free and uninterrupted, or to place guards or fences, with lamps, or to place watchmen, or to take any necessary precaution for the prevention of accidents to passengers and others, or to close and replace the said streets, squares, or public places, without unnecessary delay, as hereinbefore provided, the City Inspector, under the direction of the Common Council of the said City, shall cause the duty, so neglected, to be forthwith performed, and the expense thereof shall be defrayed by the said Corporation, on demand of the City Inspector from the Cashier or Treasurer, or any Director of the said Corporation, or in default of such payment the amount of the said claim shall and may be recovered from the said Corporation, at the suit of the Mayor, Aldermen, and Commonalty, of the said City, in an action of debt in any Court of competent jurisdiction.”

CLAUSE B.

“And be it enacted, that the said Corporation shall be held and obliged to make, erect, construct, repair, and keep in good order, at their own charges and expence, in such parts of the City of *Toronto* as may be fixed upon by the Common Council thereof, such number of good and sufficient fire plugs, not exceeding twenty, as may, by the said Common Council, be found necessary for the purposes of supplying fire engines, and of giving such other assistance as may be useful and necessary for extinguishing fires and preventing the communication thereof. Provided always, that the said Corporation shall not be compelled to make, erect, or construct, any fire plugs as aforesaid, in any part of the City of *Toronto* where they have not made or constructed pipes for conveying water.”

Press. 4, Line 6—Leave out “to” and insert “may.”

Press. 4, Line 6—Leave out “with costs.”

Press. 4, Line 11—After “damage” insert “injure, put out of order.”

Press. 4, Line 11—After “mainpipes” insert “engines, water-

Amendments to Toronto Gas & Water Company Bill.

house, pipe, plug, or other work or apparatus, appurtenances or appendages thereof, or any matter or thing already made and provided, or which shall be made and provided, for the purposes aforesaid, or any of the materials used and provided for the same, or.”

Press 4, Line 13—After the first “or” insert “shall in anywise wilfully do any other injury or damage for the purpose of obstructing, hindering, or embarrassing, the construction, completion, maintaining, or repairing of the said works, or shall cause or procure the same to be done, or who shall bathe, or wash, or who shall cleanse any cloth, wool, leather skins, animals, or any noisome or offensive thing, or cast, throw, or put any filth, dirt, or any noisome or offensive thing, or cause, permit, or suffer, the water of any sink, sewer, or drain, to run or be conveyed into, or cause any other annoyance to be done, to the water within any Reservoirs, Cisterns, Ponds, Sources, or Fountains, from which the water to supply the said City is to be conveyed, or shall.”

Press 4, Line 19—After “misdemeanor” insert “and on conviction thereof, the Court before whom such person shall be tried and convicted, shall have power and authority to condemn such person to pay a penalty not exceeding ten pounds, currency, or to be confined in the common Gaol of the District for a space of time not exceeding three months, as to such Court may seem meet.”

Press 4, Line 21—Leave out all the words from “shall” to “whatever” in the 22nd line, inclusively, and insert “contained shall extend or be construed to extend, to prevent any person or persons, body politic or corporate, from constructing any works for the supply of Water or Gas to his or to their own premises, or to prevent the Legislature of this Province, at any time hereafter, altering, modifying, or repealing, the powers, privileges, or authorities, hereinbefore granted to the said Corporation.”

Press 4, Line 26—After the 12th Clause of the Bill, insert additional Clauses C. and D.

CLAUSE C.

“And be it enacted, that the penalties by this Act imposed, appertaining to Her Majesty, Her Heirs and Successors, shall be reserved for the public uses of the Province, and for the support of the Government thereof, and the due application of the same shall be accounted for to Her Majesty, Her Heirs, and Successors, through the Lords Commissioners of Her Majesty’s Treasury for the time being, in such manner and form as Her Majesty, Her Heirs, and Successors, shall be pleased to direct.”

CLAUSE D.

“And be it enacted, that nothing herein contained shall affect, or be construed to affect, in any measure or way whatsoever, the rights of Her Majesty, Her Heirs, and Successors, or of any person or persons, or of any bodies politic, corporate or collegiate, such only excepted as are herein mentioned.”

Engrossed amendments.

JAMES FITZGIBBON,

Clerk Leg. Council.

Amendments agreed to.

And the said amendments being again read, they were agreed to by the House.

Ordered—That Mr. *Holmes*, do carry back the said Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their amendments.

Chairman of Com. of whole on taxing im-

Mr. *Tu cote*, from the Committee of the whole House to consider the expediency of imposing a duty on agricultural and other produce,

and also on live Stock, imported into this Country from the *United States of America*, reported, according to Order ; the Resolution of the said Committee, which Resolution was again read at the Clerk's Table, as followeth :—

Resolved—That it is the opinion of this Committee that it is expedient to impose a duty on agricultural Produce, and live and dead stock, imported into this Province from the *United States of America*, for home consumption.

Mr. *Prince* moved, seconded by Mr. *Roblin*,

That this House doth concur with the Committee in the said Resolution.

The question having been put upon the said motion, a division ensued, and the names being called for they were taken down, as followeth :—

YEAS.

<i>Baldwin,</i>	<i>Gilchrist,</i>	<i>Powell,</i>	<i>Steele,</i>
<i>Buchanan,</i>	<i>Hincks,</i>	<i>Price,</i>	<i>Thompson,</i>
<i>Cameron,</i>	<i>Hopkins,</i>	<i>Prince,</i>	<i>Thorburn,</i>
<i>Chesley,</i>	<i>Johnston,</i>	<i>Robertson,</i>	<i>Watts,</i>
<i>Cook,</i>	<i>McLean,</i>	<i>Roblin,</i>	<i>Williams,</i>
<i>De Salaberry,</i>	<i>Merritt,</i>	<i>Small,</i>	<i>Woods,</i>
<i>Dunlop,</i>	<i>Morris,</i>	<i>Smith, (Went.)</i>	<i>Yule. —30.</i>
<i>Durand,</i>	<i>Parke,</i>		

NOES.

<i>Aylwin,</i>	<i>Day, Hon. C. D.</i>	<i>Kimber,</i>	<i>Parent,</i>
<i>Barthe,</i>	<i>Draper, Hon. W.H.</i>	<i>McDonald, (Pres.)</i>	<i>Quesnel,</i>
<i>Black,</i>	<i>Foster,</i>	<i>Moffatt, Hon. G.</i>	<i>Raymond,</i>
<i>Burnet,</i>	<i>Harrison, Hon. S.B.</i>	<i>Morin,</i>	<i>Sherwood,</i>
<i>Child,</i>	<i>Holmes,</i>	<i>Neilson,</i>	<i>Turcotte,</i>
<i>Christie,</i>	<i>Killaly, Hon. H.H.</i>	<i>Ogden, Hon. C. R.</i>	<i>Viger, Hon. D.B.</i>
			(24).

So it was carried in the Affirmative, and—

Resolved—That this House doth concur with the Committee in the said Resolution.

Mr. *Prince* moved, seconded by Mr. *Roblin*,

For leave to bring in a Bill for imposing duties on agricultural and other produce and stock, imported into this Country from the *United States of America*.

The House divided on the motion.

Yeas, 30.

Noes, 24.

And the names being called for, they were taken down, as in the last preceding division.

So it was carried in the Affirmative, and—

He accordingly presented the said Bill to the House, and the same was received, and read for the first time.

Ordered—That the said Bill be read a second time or *Friday* next.

Mr. *Durand*, from the Committee of the whole House to take into consideration the Message of His Excellency, the Governor General, relative to Public Improvements, together with the documents accompanying the same, and other references, reported, according to order, the Resolutions of the said Committee, which Resolutions were again read at the Clerk's Table, and are as followeth :—

Resolved—That with a view to reduce the interest on the existing Public Debt of *Canada*, it is desirable, that the sum of £1,500,000, 1st. Resolution : £1,500,000 st'g to be raised by loan.

Sterling money of *Great Britain*, should be raised, by Loan, on the best terms that can be obtained, under the guarantee proposed and offered in the Despatch of the Right Honourable the Secretary of State for the Colonies, dated the 31^d day of *May*, last past—The proceeds of such Loan to be applied, in the first place, to liquidate and pay off the Public Debt by purchasing the Debentures now in circulation, at such times, and in such manner, as shall be most favourable to the interests of this Province.

2^d Resolution
Further Revenue by
altering Custom Du-
ties.

Resolved—That such further Revenue as may be required to afford a security sufficient for borrowing the necessary sums, to complete the Public Works so to be undertaken, should be raised by an alteration of the Duties of Customs imposed on various articles imported into this Province.

3^d Resolution
Grants to various Pu-
blic Works, (Class 1)

Resolved—That the following Public Works in this Province should be undertaken and completed under the superintendence of the Board of Works, and that the sums severally mentioned should be granted to Her Majesty for that purpose—

CLASS ONE.

The <i>Welland</i> Canal,.....	£450,000
And for the purpose of completing the free passage between the <i>Western</i> portion of the Province, the <i>St. Laurence</i> , and the Sea, a sum of,....	315,070
In which is included the estimates to <i>Lake St. Louis</i> , with a view of obtaining a Slack-Water Navigation from <i>Montreal</i> to <i>Kingston</i> .	
The River <i>Richelieu</i> ,.....	21,000
The River <i>Ottawa</i> ,.....	28,000
The <i>Burlington Bay</i> Canal,.....	45,000
The Internal waters of the <i>Newcastle</i> District,....	50,000
The Harbours and Light Houses, and the Roads leading thereto,.....	74,000

4th Resolution
Tax of 1 per cent per
annum on Banks' cir-
culation.

Resolved—That it is expedient, in Order to aid the Revenue of this Province, and to afford the security necessary for attaining a portion of the money required to be raised for completing the Public Works, brought under the consideration of the Legislature by the Message from His Excellency, the Governor General, that a Tax of one per cent per annum should be imposed on the average amount of the circulation of all banking institutions in this Province.

5th Resolution
Tax upon Distilleries.

Resolved—That it is expedient, with a view to provide the further necessary revenue for the purposes aforesaid, to lay a Tax upon Distilleries in that part of the Province heretofore *Lower Canada*.

6th Resolution
Tax on sales by Auc-
tion.

Resolved—That it is expedient, with a view to provide the further necessary Revenue for the purposes aforesaid, to lay a Tax upon sales by Auction throughout the Province.

7th Resolution
Grants to public works,
(Class 2.)

Resolved—That the following sums be severally granted to Her Majesty :—

CLASS TWO.

For Bay of <i>Chaleurs</i> Road,.....	£15,000
<i>Gosford</i> Road,.....	10,000
Main <i>Northern</i> Road,.....	30,000
Main Province Road, from <i>Quebec</i> to <i>Amherst-</i> <i>burg</i> and <i>Port Sarnia</i> , certain portions thereof, viz :—	
<i>Cascades</i> to <i>Côteau du Lac</i> ,.....	15,000
<i>Brantford</i> to <i>London</i> ,.....	55,000
Thence to <i>Port Sarnia</i> ,.....	15,000
<i>London</i> to <i>Chatham</i> , <i>Sandwich</i> and <i>Amherstburg</i> ,....	36,000

And that the Government of this Province be authorized to raise, on the

credit of the consolidated Revenue Fund of *Canada*, the necessary sums of money, at the lowest possible rate of interest.

Resolved—That there be granted to Her Majesty a sum not exceeding the sum of £34,000, for the building of Bridges over the large Rivers between *Quebec* and *Montreal*, the crossing of which, at certain seasons, is very dangerous and attended, occasionally, with loss of life.

Resolved—That a sum of £58,500 be granted to Her Majesty, for the improvement of the navigation of the Lake *St. Peter*.

Resolved—That a sum of £376,612, be granted to Her Majesty, for completing the *Saint Laurence* Navigation.

The Honourable Mr. *Harrison* moved, seconded by Mr. Solicitor General *Day*,

That the question of concurrence be now separately put upon the said Resolutions.

Mr. *Hincks* moved, in amendment, seconded by Mr. *Buchanan*,

That all the words after "That", in the said motion, be struck out, and the following substituted; "the said Report be now recommitted, to a Committee of the whole House."

The question having been put upon the motion of amendment, a division ensued, and it was carried in the affirmative.

The question being then put on the main motion, as amended, it was agreed to.

And the House accordingly resolved itself into the said Committee.

Mr. *Parent* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Parent* reported that the Committee, had come to an additional Resolution, which he was directed to report to the House whenever it shall be pleased to receive the same: and also that he was directed by the Committee to move for leave to sit again.

Ordered—That the Report be received to-morrow.

Ordered—That the said Committee have leave to sit again to-morrow.

A Message from the Legislative Council, by *John Godfrey Spragge*, Esquire, Master in Chancery.

MR. SPEAKER,

The Legislative Council have passed the following Bills, without any amendment:—

"An Act to establish a Company, by the name of "The Sydenham Mountain Road Company,"

"An Act to authorize the North American Colonial Association of Ireland to loan Monies in the County of Beauharnois."

"An Act to confirm a certain arrangement entered into by the Magistrates of the Districts of Gore and Wellington."

"An Act to provide for the translation, into the French language, of the Laws of this Province, and for other purposes connected therewith."

"An Act to incorporate certain persons therein mentioned for the purpose of making a Macadamized road from Dundas Street to the River Humber, in the Township of York."

"An Act to enable persons authorized to practice Physic or Surgery in Upper or Lower Canada, to practise in the Province of Canada."

"An Act to amend an Act of the Parliament of the late Province of Upper Canada, intituled 'An Act to authorize the establishment of Mutual Insurance Companies in the several Districts of this Province'."

"An Act to incorporate the Ladies of the Roman Catholic Orphan Asylum of Montreal."

8th Resolution :
£34,000—Bridges between Quebec and Montreal.

9th Resolution :
£58,500—Lake St. Peter.

10th Resolution :
£376,612—St. Lawrence Navigation.

Motion for question of concurrence.

Amendment moved to re-commut report.

Amendment carried.

House goes into Com-
on report.

Additional resolution reported.

Sit again to-morrow.

Message from Leg.
Council.

Bills passed Legis.
Council.

Sydenham Road Co.
Bill.

Bill to allow N. Am.
Col. Asso. of Ireland
to loan moneys.

Bill to confirm an
arrangement of Gore
& Wellington Dist.
Bill for French trans-
lation of the Laws.

Dundas street and
Humber Road Bill.

Bill for practice of
Physic & Surgery in
both sections of Pro-
vince.

Bill to amend Mutual
Insurance Act of U.
C.

Mont. R. C. Orphan
Asylum Bill.

Bill to allow G Durand to construct a mill-dam.

“ *An Act to empower George Durand, Esquire, to construct a Canal, for Mill purposes, in the Township of Surnia,*”

Bill to convey a certain piece of land in Lochiel.

“ *An Act to empower certain Trustees, therein mentioned, to convey a portion of a certain Lot of Land, in the Township of Lochiel, in the Eastern District, to the Reverend John McIsaac.*”

Bill to exempt firemen from certain duties.

“ *An Act to repeal a certain Act therein mentioned, and to exempt the Members of Companies of Firemen, lawfully established, from serving as Jurors, and in the Militia, except in certain cases.*”

Bill to amend U. C. Dist. Court Act.

“ *An Act to alter and amend the Laws now in force in that part of this Province formerly Upper Canada, regulating the District Courts.*”

And also,

Election Bill sent down amended.

The Legislative Council have passed the Bill intituled “ *An Act to provide for the freedom of elections throughout this Province, and for other purposes therein mentioned,*” with several amendments, to which they desire the concurrence of the Assembly.

And, also,

Bills sent down for concurrence.

The Legislative Council have passed the following Bills, to which they desire the concurrence of the Assembly :—

Bill to prevent circulation of bad copper.

“ *An Act to prevent the fraudulent manufacture, importation or circulation of Spurious Copper and Brass Coin.*”

Education Bill

“ *An Act to repeal a certain Act therein mentioned, relating to Education, and to make other provision for the encouragement thereof.*”

And then he withdrew.

Bill to prevent circulation of spurious copper, read 1st time.

An engrossed Bill, from the Legislative Council, intituled “ *An Act to prevent the fraudulent manufacture, importation or circulation of Spurious Copper and Brass Coin,*” was read for the first time.

Education Bill read 1st time.

An engrossed Bill, from the Legislative Council, intituled “ *An Act to repeal a certain Act therein mentioned, relating to Education, and to make other provision for the encouragement thereof,*” was read for the first time.

Home Dist Debt consolidation Bill read 2nd time.

A Bill to consolidate certain debts due by the *Home District*, and to make provision for the payment thereof, was, according to Order, read a second time.

Bill to be engrossed.

Ordered—That the said Bill be engrossed.

Bill to erect a New district in Kent read 2nd time.

A Bill for the erection of certain Townships in the County of *Kent*, into a separate District, was, according to order, read a second time.

Mr. *Cameron* moved, seconded by Mr. *Thompson*,

That the said Bill be referred to a Committee of the whole House on *Friday* next,

The question having been put upon the said motion, a division ensued, and it was carried in the Affirmative.

Ordered—Accordingly.

Seignorial Tenure commutation Bill read 2nd time.

A Bill to provide for the voluntary commutation of the Seignorial Tenures in the Seignories of *Lower Canada*, was, according to Order, read a second time.

Mr. *Dunscomb* moved, seconded by Mr. *Simpson*,

That the said Bill be referred to a Committee of the whole House on *Wednesday* next.

Motion to refer Bill to Com. of whole Wednesday.

Mr. *Christie* moved, seconded by Mr. *Aylwin*,

That the further consideration of the said Bill be postponed.

Motion to postpone consideration thereof.

The question having been put upon the said motion, a division ensued, and it was carried in the Affirmative.

Carried

Ordered—Accordingly.

A Bill to provide for the more easy and expeditious administration of Justice in Civil Causes, and matters involving small pecuniary value, in that part of this Province heretofore *Lower Canada*, was, according to Order, read a second time.

Bill for recovery of small debts in Canada E., read 2nd time.

On motion of Mr. Attorney General *Ogden*, seconded by Mr. *Quesnel*.

Resolved—That the said Bill be referred to a Select Committee, composed of the Honourable Mr. *Viger*, Mr. *Quesnel*, Mr. *Black*, Mr. *Aylwin*, Mr. *Turcotte* and Mr. *Child*, to report thereon with all convenient speed; with power to send for persons, papers and records.

Bill referred to Sel. Com.

At 5 o'clock, Mr. Speaker declared the House adjourned until 7 o'clock, P. M.

Lunæ, 6^o die Septembris;

7 o'clock, P. M.

The Order of the day for the House in Committee on the second Report of the Select Committee appointed to inquire what assistance it will be necessary to afford to the Clerk, and what offices and departments it will be expedient to establish for the effective and orderly conduct of the business of this House, being read,

House in Com. on 2nd Rep. of Com. on Clerk's Office.

The House accordingly resolved itself into the said Committee.

Mr. *Dunlop* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Dunlop* reported, that the Committee had come to several Resolutions, which he was directed to submit to the House, whenever it shall be pleased to receive the same.

Resolutions reported.

Ordered—That the Report be received to-morrow.

The Order of the day for the House in Committee on the Bill to erect the County of *Haldimand* into a separate District, by the name of "The District of *Manchester*," being read,

Order of day for House in Com. on Haldimand District Bill, postponed.

Ordered—That the said Order of the day be postponed until *Friday* next.

The Order of the day for the House in Committee on the Report of the Select Committee to which were referred the Resolutions of this House of the 23th of *July* last, relative to the Laws of that part of the Province heretofore known as *Lower Canada*, touching the Tenure of Lands, and commonly known as "Feudal Tenure," being read.

House in Com. on Rep. of Com. on Feudal Tenure.

The House accordingly resolved itself into the said Committee.

Mr. *Burnet* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Burnet* reported, that the Committee had come to a Resolution, which he was directed to submit to the House whenever it shall be pleased to receive the same.

Resolution reported.

Ordered—That the Report be received to-morrow.

The Order of the day for the House in Committee on the Report of the Select Committee to which was referred the Petition of *Samuel Garnsey*, and others, inhabitants of the Township of *Bayham*, and other references, being read,

House in Committee on Rep. on Pet. of S. Garnsey & others.

The House accordingly resolved itself into the said Committee.

Mr. *D. McDonald* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair.

- Resolution reported. And Mr. *D. McDonald* reported, that the Committee had come to a Resolution, which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:—
- Resolution. *Resolved*—That it is expedient to define the limits of the County of *Norfolk*, and to annex to that County the Township of *Bayham*.
- Bill to define limit of Norfolk brought in. *Ordered*—That Mr. *Powell* have leave to bring in a Bill to define the *Westerly* limit of the County of *Norfolk*.
He accordingly presented the said Bill to the House, and the same was received, and read for the first time.
Ordered—That the said Bill be read a second time on *Wednesday* next.
- Order for House in Com. on Court of Impeachments Bill postponed. The Order of the day for the House in Committee on the Bill to establish a Court in this Province for the trial of impeachments, being read,
Ordered—That the said Order of the day be postponed until *Wednesday* next, and that it be then the first Order of the day.
- House in Com. on Amendments of L. Coun. to Marriage Bill. The Order of the day for the House in Committee on the amendments made by the Legislative Council to the Bill intituled "*An Act to enable Ministers of all denominations of Christians to solemnize marriage, under certain restrictions,*" being read,
The House accordingly resolved itself into the said Committee.
Captain *Steele* took the chair of the Committee, and after some time spent therein,
- Committee rises. Mr. Speaker resumed the chair.
- House in Committee on amending Macadamized roads regulation Act of U. C. The Order of the day for the House in Committee to take into consideration the propriety of explaining and amending certain parts of an Act passed during the last Session of the Parliament of the late Province of *Upper Canada*, intituled "*An Act to repeal, alter and amend the Laws now in force, for the regulation of the several macadamized Roads within this Province,*" being read,
The House accordingly resolved itself into the said Committee.
Mr. *Christie* took the chair of the Committee, and after some time spent therein,
Mr. Speaker resumed the chair,
- Resolutions reported. And Mr. *Christie* reported, that the Committee had come to several Resolutions, which Resolutions were again read at the Clerk's table, and are as followeth:—
- 1st Resolution. *Resolved*—That provision be made to explain and amend a certain Act passed during the last Session of the Parliament of the late Province of *Upper Canada*, intituled "*An Act to repeal, alter and amend the Laws now in force for the regulation of the several Macadamized Roads within this Province,*" so as to prevent the enforcing of a commutation of statute labour, from persons residing within half a mile of either side of the Roads not actually improved, and for other purposes.
- 2nd Resolution. *Resolved*—That provision should be made to separate the several Turnpike Trusts within the *Home* District.
Ordered—That the question of concurrence be now separately put upon the said Resolutions.
- 1st Resolution carried. And the first of the said Resolutions being again read, and the question of concurrence being put thereon, it was agreed to by the House.
- 2nd Resolution put. The second of the said Resolutions being again read, and the question of concurrence being put thereon, a division ensued, and the names being called for, they were taken down as followeth:—

YEAS.

<i>Aylwin,</i>	<i>Barthe,</i>	<i>Burnet,</i>	<i>Child,</i>
<i>Baldwin,</i>	<i>Buchanan,</i>	<i>Cameron,</i>	<i>Christie.</i>

Cook,	Holmes,	Powell,	Smith, (Went.)
Daly, Hon. D.	McDonald, (Pres.)	Price,	Steele,
Durand,	McLean,	Roblin,	Turcotte,
Foster,	Morin,	Small,	Viger, Hon. D.B.
Gilchrist,			(25).

NOES.

Black,	Draper, Hon. W.H.	Sherwood,	Williams,
Cartwright,	Moffatt, Hon. G.	Thorburn,	Woods.—10.
Chesley,	Raymond,		

So it was carried in the Affirmative, and—

Resolved—That this House doth concur with the Committee in the said Resolutions.

Carried.

Ordered—That Mr. Small have leave to bring in a Bill to explain and amend an Act of the Legislature of Upper Canada, relative to District Turnpike Trusts.

Bill to amend Act of U. C. regulating Turnpike trusts.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time.

Bill read.

Ordered—That the said Bill be read a second time on Friday next.

The Order of the day for taking into consideration the amendments made by the Legislative Council to the Bill intituled "*An Act to provide temporarily for the administration of Justice in the Magdalen Islands in the Gulf of St. Lawrence,*" being read,

Amendments to Bill for administration of Justice in Magdalen Islands, taken up.

The House proceeded accordingly to take the said amendments into consideration,

And the said amendments were read, and are as followeth:—

Press 1, Line 37, 38—Leave out "some person as his Clerk, whom he shall appoint for the purposes," and insert "the Clerk to be appointed as hereinafter mentioned."

Amendments

Press 1, Line 40—After the 2d Clause, insert the following Clause A:—

CLAUSE A.

"And be it enacted, that it shall and may be lawful for the Governor, Lieutenant Governor, or Person administering the Government of the Province, for the time being, to nominate and appoint, by a Commission, under his hand and seal, a fit and proper person, being resident on the said Islands, to act as Clerk of the said Commissioners' Court; which said Clerk, before entering upon the duties of his office, shall make and execute, before the Senior Justice of the Peace, resident on the said Islands, a Bond, jointly and severally, with sureties, to be approved of by such Justice of the Peace, in the sum of _____ Pounds, currency, that he will faithfully discharge the duties of his said office, and truly transcribe and keep a correct record of all proceedings, entries, and judgments of the said Court; and further shall take and subscribe an oath, before the said Justice of the Peace, (which said oath the said Justice of the Peace is hereby authorized and required to administer) in the words following, to wit:—'I, A. B., do promise and swear that I will faithfully, diligently and justly, serve and perform the office and duties of Clerk of the Commissioners' Court for the *Magdalen Islands*, according to the best of my ability. So help me God.' Which said oath shall be filed and kept among the Records of the said Court."

Press 1, Line 47—After the 3d Clause of the said Bill, insert the following clauses, B. and C.:—

CLAUSE B.

"And be it enacted, that it shall be the duty of the said Clerk, in

Amendments to Bill
for administration of
Justice in Magdalen
Islands

conformity with any Judgment rendered by the said Commissioners, to issue such Writs of Execution against the Goods and Chattels of any party against whom such Judgment has been pronounced, after the expiration of the delay allowed by this Act, or specially granted by the Commissioner, under the provisions of this Act, which said Writs of Execution shall have been previously signed and sealed by the Commissioner aforesaid, and kept in the custody of the said Clerk.

CLAUSE C.

And be it enacted, that in case any opposition is entered to the sale of any goods and chattels, seized under and by virtue of any writ of execution issuing as aforesaid, it shall and may be lawful for the said Clerk to administer an oath to the party opposing such execution, to the truth of the allegations contained in such opposition; and thereupon to direct that all further proceeding be suspended under such writ of execution, until the return of such opposition before the next ensuing session of the said Court, when the several parties may be heard on the merits of the said opposition.

Press 2, Line 6—After “given” insert “or to the clerk.”

Press 2, Line 9—After “judgment” insert “and the said Clerk shall, after such notice shall have been given and such security been entered, forthwith, and with all convenient speed, at the instance and request of the party appealing, transmit a true and certified copy of the record of the cause so appealed to the said Court of Kings Bench, or Court of Common Pleas at *Quebec*, the party appealing paying, for the copy of such Record, to the said Clerk, at the rate of for every hundred words, and no more.

Press 2, Line 18—After “pence” insert “for every entry of an opposition pence”

Press 2, Same Line—After the 5th clause of the Bill, insert clause D.

CLAUSE D.

“And be it enacted that the said Commissioner shall have power and authority to nominate and appoint such number of Bailiffs as he may deem fit and necessary, for the service and execution of all writs, Orders, or Rules, of the said Court, and every such Bailiff, before entering upon the duties of his office, shall give security in such amount as the said Commissioner shall deem fit and proper, for the faithful discharge of his duties, and for the duly paying and accounting for of all money's that shall come into his hands.

Press 2, Line 40—After “enacted” leave out all the words to the end of the 8th Clause of the Bill, and insert, in lieu thereof, “that in case of the death, sickness or absence of the Clerk, the Senior Justice of the Peace resident on the said Island shall forthwith, and with all convenient speed, notify such death, sickness or absence, to the Governor, Lieutenant Governor, or person administering the Government of this Province for the time being, and it shall and may be lawful for the said Senior Justice of the Peace to nominate and appoint, by a warrant under his hand and seal, any fit and competent person, resident in the said Islands, to act as Clerk to the said Court until another Clerk shall have been appointed by the Governor, Lieutenant Governor, or person administering the Government of this Province for the time being; and such acting Clerk shall hold, enjoy, and possess, all the powers, authorities, privileges, and remuneration, allowed to the Clerk, to be appointed as aforesaid.”

Press 3, Line 7—After the 9th Clause of the Bill, insert the following Clause E:

CLAUSE E.

“And be it enacted, that in case there shall at any time be ”

of the Peace residing on the said Islands, all the powers, authorities, and duties, hereby conferred upon or required from such Justice of the Peace, shall be held, possessed, enjoyed, or performed, by the Senior Missionary resident on the said Islands.”

Amendments to Bill for administration of Justice in Magdalen Islands.

On motion of Mr. *Christie*, seconded by Mr. *Barthe*,

Ordered—That the said amendments be now referred to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

House in Com. on above amendments.

Mr. *Price* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Price* reported that the Committee had passed the said amendments, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Amendments reported amended.

Ordered—That the Report be received to-morrow.

The Honourable Mr. *Daly* presented, pursuant to an address of the House of Assembly of the 17th of *August* last, a Return, containing a statement of all money's paid to the Honourable Mr. Attorney General *Ogden*, for official services rendered within the last four years, and the authority for such payment

Return of payments to Attorney General Ogden, for last 4 years laid before the House.

Statement of all money's paid to the Honourable Mr. Attorney General *Ogden*, for official services rendered, and for charges in the administration of Justice in the Department of Attorney General, within the last four years, and the authority for such payments.

SERVICES.	AMOUNT, STERLING.			UNDER WHAT AUTHORITY.	Return.
	£	s.	d.		
Amount of contingent account for half year ended 10th <i>April</i> , 1837,	100S	18	9	Paid from out of Revenues then at the disposal of the Crown. Ordinance of the Special Council, 1st. VIC : Chap. 12.	
Do. for do. ended 10th <i>October</i> , “	982	15	0		
Amount of remuneration granted to him for his extra services from 4th <i>November</i> , 1837, to 17th <i>May</i> , 1838, arising out of the Rebellion in the District of <i>Montreal</i> , . . .	1500	0	0	Do.—2nd. VIC : Chap. 5.	
In full for all extra services rendered by him between 4th <i>November</i> , 1837, and 17th <i>May</i> , 1838, . . .	1500	0	0	Do.—3rd. VIC : Chap. 23.	
For Ordinary services performed by him in the half year ended 10th <i>April</i> , 1838,	572	9	0	Do.—1st. VIC. Chap. 12.	
Amount allowed to him on his accounts for services rendered to Government between 11th <i>April</i> , 1838, and 10th <i>April</i> 1840, . . .	9600	19	1	{ Ordinance 1st. VIC : Chap. 12. —do.—2nd. VIC : Chap. 39. —do.—3rd. VIC : Chap. 22. —do.—4th. VIC : Chap. 9.	
	15,165	1	10		
Salary for 4 years, ended 30th <i>September</i> , 1840, at £300 per annum, . .	1200	0	0	For the year 1837, paid out of Loan from the Imperial Treasury, made good by Ordinance 1st. VIC : Chap. 11; and for the remaining years, out of the supplies annually granted by various Ordinances.	
Total Sterling,	£16,365	1	10		

JOS. CARY,

Inspr. Genl. Accounts.

Kingston, 28th August, 1841.

NOTE.—The contingent accounts of the Attorney General for the half year ending 10th October, 1840, are not yet finally audited, nor paid.

House in Committee
on Judges' independ-
ence Bill.

The Order of the day for the House in Committee on the Bill for better securing the independence and uprightness of the Judges, being read, The House accordingly resolved into the said Committee.

The Honourable Mr. *Moffatt* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Bill reported.

And the Honourable Mr. *Moffatt*, reported that the Committee had gone through the Bill, without making any amendment thereto; and the Report was again read at the Clerk's table.

Bill to be engrossed.

Ordered—That the said Bill be engrossed.

Remaining orders
postponed.

On motion of Mr. *Christie*, seconded by Mr. *Barthe*,

Ordered—That the Orders of the day that have not been disposed of be postponed until to-morrow, and that they be then the first Orders of the day.

Further leave to Com.
on Election for 2nd.
Riding York, to ad-
journ.

On motion of Mr. *Roblin*, seconded by Mr. *Hincks*,

Ordered—That the Committee appointed to try the merits of the Petition of divers electors of the 2nd Riding of the County of *York*, and of *Connell James Baldwin*, Esquire, complaining of the undue election and return of *George Duggan*, Esquire, the Sitting Member for the said 2nd Riding of the County of *York*, have leave to adjourn until *Saturday* the 11th instant.

Then, on motion of Mr. *Cartwright*, seconded by Mr. Attorney General *Draper*,

The House adjourned.

Martis, 7^o die Septembris;

Anno 5^o Victoriae Reginae, 1841.

Petitions brought up.

The following Petitions were severally brought up, and laid on the Table:—

Mr. *Holms*, and
others.

By Mr. *Harmanus Smith*—The Petition of *William Holms*, and others, Inhabitants of the Township of *Brantford*, in the *Gore* District.

Master, &c, Quebec
Trinity House.

By Mr. *Burnet*—The Petition of the Master, Deputy Master, and Wardens, of the *Trinity House* of *Quebec*.

Bill to compel candi-
dates at Elections to
declare their qualifica-
tion, read 3rd time.

An engrossed Bill to compel all Candidates at any future elections for Members of the Legislative Assembly to make and subscribe detailed declarations of the property by them possessed, and under which they qualify, was read for the third time.

Ryder moved.

Mr. *Christie* moved, seconded by Mr. *Thompson*,

That the following engrossed Clause, marked A., be added to the said Bill, by way of *Ryder*, and make part thereof:—

(A).

And whereas it may happen that any Candidate may, from illness or other unavoidable cause, be prevented from attending at the election, and the free choice of the electors might be defeated, unless provision were made in that behalf; Be it therefore declared and enacted, that if any Candidate shall, on the day appointed for the election, deliver, or cause

to be delivered, to the Returning Officer, a declaration, in the form prescribed by the twenty eight section of the said Act of the Parliament of Great Britain and Ireland, intituled "An Act to Re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada," signed by such Candidate, and made before a Justice of the Peace in this Province, who shall receive and attest the same, and also a declaration in the form prescribed by this Act, signed by such Candidate, and made on oath or affirmation before any Justice of the Peace in this Province who shall receive and attest the same, such Candidate shall be held to have complied with the requirements of the said Act, and of this Act, as to the declaration of qualification required of him : and any false statement wilfully made in any such declaration as aforesaid, shall be a misdemeanor, for which the person guilty thereof shall be liable to the punishment to which persons guilty of wilful and corrupt perjury are liable, in the place where such declaration shall have been made ; Provided always, that on any prosecution for such misdemeanor, and for the purposes of this Act, any such declaration shall be held to have been made on the day on which it shall be delivered to the Returning Officer by order of the Candidate, whatever be the date at which it was signed, received, and attested, as aforesaid ; and the possession of any such declaration shall be *prima facie* evidence of authority from the Candidate to deliver the same to the Returning Officer.

The said clause being thrice read, and the question being put thereon, it was agreed to by the House. Ryder carried.

Mr. *Christie* moved, seconded by the Honourable Mr. *Viger*,

That the said Bill be recommitted to a Committee of the whole House to-morrow. Motion to re-commit Bill to-morrow.

The question having been put upon the said motion, a division ensued, and it passed in the Negative. Lost.

Mr. *Morris* moved, seconded by Mr. *Chesley*,

That the Bill do pass. Motion that Bill do pass.

The Honourable Mr. *Viger* moved, in amendment, seconded by Mr. *Barthe*, Amendment moved.

That all the words after "that" in the said motion, be struck out, and the following substituted : "the further consideration of the said Bill be postponed until this day three months."

The question having been put upon the motion of amendment, a division ensued, and the names being called for, they were taken down, as followeth :—

YEAS.

Baldwin,	Durand,	Merritt,	Price,
Barthe,	Kimber,	Neilson,	Taché,
Christie,	McDonald, (Pres.)	Parent,	Viger, Hon. D.B.
De Salaberry,			(13).

NOES.

Black,	Gilchrist,	MacNab, Sir A.N. Smith, (Went.)	
Buchanan,	Harrison, Hon. S.B.	Moffatt, Hon. G.	Sherwood,
Burnet,	Holmes,	Morris,	Thompson,
Cameron,	Hopkins,	Parke,	Thorburn,
Chesley,	Johnston,	Roblin,	Watts,
Derbshire,	Killaly, Hon. H. H.	Smith, (Fron.)	Yule.—25.
Dunscumb,			

So it passed in the Negative.

The question being then put upon the main motion, a division again ensued, and the names being called for, they were taken down, as followeth :

YEAS.

<i>Bluck,</i>	<i>Dunscomb,</i>	<i>Killaly, Hon. H.H. Smith, (Went.)</i>
<i>Buchanan,</i>	<i>Durand,</i>	<i>McNab, Sir A.N. Sherwood,</i>
<i>Burnet,</i>	<i>Gilchrist.</i>	<i>Moffatt, Hon. G Steele,</i>
<i>Chesley,</i>	<i>Harrison, Hon. S B Morris.</i>	<i>Thompson,</i>
<i>Cook,</i>	<i>Holmes,</i>	<i>Park,</i>
<i>Day, Hon. C. D.</i>	<i>Hopkins,</i>	<i>Roblin,</i>
<i>Derbshire,</i>	<i>Johnston,</i>	<i>Smith, (Fron.)</i>
<i>Dunlop,</i>		<i>Yule.—29.</i>

NOES.

<i>Aylwin,</i>	<i>De Salaberry,</i>	<i>Merritt,</i>	<i>Price,</i>
<i>Baldwin,</i>	<i>Hincks,</i>	<i>Neilson,</i>	<i>Taché,</i>
<i>Barthe,</i>	<i>Kimber,</i>	<i>Parent,</i>	<i>Viger, Hon. D.E.</i>
<i>Christie,</i>	<i>McDonald, (Pres.)</i>		<i>(14).</i>

Bill passed.

So it was carried in the Affirmative, and—

Resolved—That the Bill do pass.

Ordered—That Mr. *Morris*, do carry the said Bill to the Legislative Council, and desire their concurrence.

Bill to consolidate certain debts of Home District passed.

An engrossed Bill to consolidate certain debts due by the *Home District*, and to make provision for the payment thereof, was read for the third time.

Resolved—That the Bill do pass, and the title be “ *An Act to consolidate certain debts due by the Home District, and to make provision for the payment thereof.*”

Ordered—That Mr. *Buchanan*, do carry the said Bill to the Legislative Council, and desire their concurrence.

Flour and Meal Inspection Bill passed.

An engrossed Bill to regulate the Inspection of Flour and Meal was read for the third time.

Resolved—That the Bill do pass.

Ordered—That the Honourable Mr. *Moffatt*, do carry the said Bill to the Legislative Council, and desire their concurrence.

Bill to secure Judge independence.

An engrossed Bill for better securing the independence and uprightness of the Judges was read for the third time.

Resolved—That the Bill do pass.

Ordered—That Mr. *Aylwin*, do carry the said Bill to the Legislative Council, and desire their concurrence.

Resolution, placing officers &c of House under direction of Speaker, rescinded.

On motion of Mr. *Thorburn*, seconded by Mr. *Dunlop*,
Resolved—That the Resolution of this House of the 26th of *July* last, which places the Officers, Clerks and Servants, employed by the House, under the direction of the Speaker, during the Session and Recess, be rescinded.

Resolution placing all under direction of the Clerk.

Resolved—That the Clerk of this House be held responsible for the safe keeping of all the Papers and Records of this House, and have the direction and control over all the Clerks and Servants employed in the office, subject to such orders as he may, from time to time, receive from Mr. Speaker and the House.

Petition of Directors of Toronto & L. Huron Rail Road Co. referred to Com. on petition of Justice Home District. Member added to Committee.

Ordered—That the Petition of the Directors of the *Toronto* and *Lake Huron* Rail Road Company, presented to the House on the 4th instant, be referred to the Select Committee to which was referred the Petition of the Justices of the Peace of the *Home District*, and other references.

Ordered—That Mr. *Dunlop* be added to the said Committee.

The Honourable Mr. *Harrison* presented, pursuant to an Address of the House of Assembly of the 17th of *August* last, a Return containing the Report of the Commissioners appointed to report on the Township of *MacNab*.

Report of Commissioners on settlement of *MacNab* township land before House.

For the said Return, see Appendix (H. H.)

Also, pursuant to an Address of the House of Assembly of the 15th of *July* last, a Return relative to duties collected on Timber in the *Ottawa* District.

Also Return of *Ottawa* timber duties.

For the said Return, see Appendix (I. I.)

And also, pursuant to an Address of the House of Assembly of the 11th of *August* last, a Return relative to all salaries borne on the Income of *Lower Canada*, *Upper Canada*, and the Province of *Canada*, between 1st *October*, 1839, and 10th *February*, 1841.

Also Return of Salaries borne on Revenue of U. & L. Canada & the United Province.

For the said Return, see Appendix (J. J.)

Mr. *Dunlop*, from the Special Committee to which was referred the Address passed by the House of Assembly of *Upper Canada*, in favor of *Anthony Manahan*, Esquire, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth :—

Com. on Address of Assembly of U. C. on behalf of Mr. *Manahan*, report.

“ Your Committee, on careful examination, are of opinion that the allegations of the claimant, *Anthony Manahan*, Esquire, are perfectly true, as will be seen on reference to the Journals of the last Session of the House of Assembly of the late Province of *Upper Canada*, page 368, which contains an Address from that House to His Excellency, the Governor General, recommending that remuneration be made to Mr. *Manahan* for his losses ; and page 378, which contains His Excellency's answer thereto ; also the first volume of the Appendix to the same Journal, where will be found the Report of the Select Committee to which the Petition of Mr. *Manahan* was referred.

Report.

Your Committee therefore feel no hesitation in recommending to Your Honourable House, to pass an humble address to His Excellency, the Governor General, requesting, on behalf of Mr. *Manahan*, the remuneration and redress which he has sought, and expressing the willingness of the House to make good, hereafter, any sum which may be advanced for that purpose ; and have therefore prepared a Resolution to that effect, which accompanies this report.

Ordered—That the said Report be referred to a Committee of the whole House to-morrow.

Report referred to Com. of whole to-morrow.

On motion of Mr. *Thorburn*, seconded by Mr. *McLean*.

Resolved—That an humble address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to inform this House when the unpaid balance of £50,000, granted for the improvement of the Roads in the late Province of *Upper Canada*, by an Act passed in the 6th year of the Reign of His late Majesty, WILLIAM the Fourth, Chapter 37, intituled “ *An Act granting to His Majesty a sum of money, for the improvement of Roads and Bridges in the several Districts of this Province,*” may be obtained, for the purposes of said Act ; and of an Act passed during the 1st Session of the 13th Parliament of the said Province, of the 7th WILLIAM the Fourth, Chapter 107 ; also when the sum of £12,500, authorized for the improvement of the *Grand River* Navigation, by an Act passed in the 7th year of the Reign of His late Majesty WILLIAM the Fourth, Chapter 73 may be expected to be paid.

Address to His Excellency respecting payment of certain sums granted in U. C. ordered.

Ordered—That the said address be presented to His Excellency, by

such Members of this House as are of the Honourable the Executive Council of this Province.

Amendments of L. Council to Election Bill taken up

On motion of Mr. *Baldwin*, seconded by Mr. *Durand*,
Ordered—That the amendments made by the Legislative Council to the Bill intitled “*An Act to provide for the freedom of elections throughout this Province, and for other purposes therein mentioned*,” be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth :—

Amendments

Press 2, Line 16—Leave out “*Law*” and insert “*Laws of the late Province of Upper or Lower Canada, as are now.*”

Press 2, Line 18—After the word “*places*” leave out all the words to “*not*” in the 22nd line, inclusively, and insert “*as are appointed under and by virtue of the said Laws of Lower Canada, or of Upper Canada respectively, for the holding of meetings for the Election of such Officers, whether the terms Parish or Township be, or be not, technically applicable to such place or places.*”

Press 7, Line 31—Before “*Poll*” insert, “*Election or.*”

Press 7, Line 34—Before “*Poll*” insert, “*Election or.*”

Press 7, Line 35—Before “*Poll*” insert, “*Election or.*”

Press 7, Line 37—After “*who*” insert, “*with the said new or acting Returning Officer. or Deputy Returning Officer.*”

Press 7, Line 37—After “*upon*” leave out all the words to “*Clerk*” in the 38th line, and insert “*their duties respectively.*”

Press 8, Line 3—Before “*sixpence*” insert, “*travelled.*”

Press 9, Line 7—Leave out “*deem*” and insert, “*deemed.*”

Press 10, Line 13—Leave out “*House of*” and insert, “*Legislative.*”

Press 10, Line 19—Leave out “*House of*” and insert, “*Legislative.*”

Amendments agreed to

And the said amendments being again read they were agreed to by the House.

Ordered—That Mr. *Baldwin*, do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

Message to Legislative Council for leave to Mr. Macaulay to attend Sel. Com. ordered.

On motion of Mr. *Aylwin*, seconded by Mr. *Thorburn*.

Resolved—That a Message be sent to the Legislative Council, praying their Honours will permit the Honourable *John Macaulay*, one of their members, to appear before the Select Committee of this House appointed to enquire into the Accounts of Collectors of Customs in this Province to-morrow, at 9 o'clock in the forenoon, to be examined on the subject of said reference.

Ordered—That Mr. *Aylwin* do carry the said Message to the Legislative Council.

Motion to print 300 copies of Report on Settlement of MacNab.

Mr. *Cameron* moved, seconded by Mr. *Hincks*,

That 300 copies of the Report of the Agent of the *Bathurst* District, relative to the Township of *MacNab*, together with the remarks and letter of the Chief *MacNab*, relative to the said Report, be printed for the use of the members of this House.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth :—

YEAS.

<i>Barthe,</i>	<i>Cook,</i>	<i>Day, Hon. C. D.</i>	<i>Durand,</i>
<i>Cameron,</i>	<i>Daly, Hon. D.</i>	<i>Dunscomb,</i>	<i>Foster,</i>

<i>Hincks,</i>	<i>Morris,</i>	<i>Roblin,</i>	<i>Thorburn,</i>
<i>Holmes,</i>	<i>Parent,</i>	<i>Smith, (Went.)</i>	<i>Viger, Hon. D.B.</i>
<i>Hopkins,</i>	<i>Parke,</i>	<i>Steele,</i>	<i>Watts,</i>
<i>Johnston,</i>	<i>Price,</i>	<i>Thompson,</i>	<i>Williams.—25.</i>
<i>Merritt,</i>			

NOES.

<i>Aylwin,</i>	<i>Derbshire,</i>	<i>McNab, Sir A. N. Robertson,</i>
<i>Buchanan,</i>	<i>Dunn, Hon. J.H.</i>	<i>McDonald, (Pres.) Smith, (Fron.)</i>
<i>Burnet,</i>	<i>Harrison, Hon. S.B.</i>	<i>McLean,</i>
<i>Chesley,</i>	<i>Kimber,</i>	<i>Neilson,</i>
<i>Christie,</i>		<i>Taché,</i>
		<i>Fule. —17.</i>

So it was carried in the Affirmative, and—
Ordered accordingly.

Carried

Ordered—That 300 copies of *Duncan McDonell's (Greenfield) Account*, current with the Surveyor General of that part of the Province formerly called *Upper Canada*, be printed for the use of the members of this House.

300 copies of D. McDonell's Accounts with Surveyor Gen. of U. C. to be printed.

Mr. *Dunlop*, from the Committee of the whole House on the second report of the Special Committee appointed to enquire what assistance it will be necessary to afford to the Clerk, and what offices and departments it will be expedient to establish for the effective and orderly conduct of the business of this House, reported, according to order, the Resolutions of the said Committee, which Resolutions were again read at the Clerk's table, and agreed to by the House, and are as followeth:—

Chairman of Com. of whole on 2nd Report on Clerk's Office reports Resolutions.

Resolved—That there be allowed to *Alexander Lemoine*, Assistant French Translator, at the rate of one pound per diem of six hours, and at the rate of ten shillings per diem for extra hours.

1st Resolution Allowance to A. Lemoine, Ass't. French Translation.

Resolved—That there be allowed to *R. Defries*, Post Office Messenger, ten shillings per diem for the time he is employed, with no extra allowance.

2nd Resolution: 10s. per diem to R. Defries, P. O. Messenger.

Resolved—That *Alfred Todd*, *Thaddeus Patrick*, and *Charles Fitzgibbon*, be employed at the same rate as other extra writers, and continued during the recess, while they may be required by the Clerk.

3rd Resolution. Certain Clerks to be employed during Recess

Mr. *Burnet*, from the Committee of the whole House on the Report of the Select Committee to which were referred the Resolutions of this House of the 28th of *July* last, relative to the Laws of that part of the Province heretofore known as *Lower Canada*, touching the Tenure of Lands, and commonly known as "Feudal Tenure," reported, according to order, the Resolution of the said Committee, which Resolution was again read at the Clerk's table, and is as followeth:—

Chairman of Com. of whole on Report on Feudal Tenure, reports Resolution.

Resolved—That an humble address be presented to His Excellency, the Governor General, representing that this House, being desirous of improving the condition, and promoting the welfare, of the People, by removing, in a manner consistent with Justice to all parties concerned, the difficulties and inconveniencies which have resulted, and may hereafter result, from the Tenure of Lands commonly called the Seigniorial Tenure, as it obtains in that part of the Province heretofore called *Lower Canada*; and being of opinion that, to facilitate legislation on this important subject, an inquiry ought to be had into the state of the Law, and other circumstances connected with the said Tenure, and its operation generally,—into the relative position of the Seigniors and the Censitaires,—and into the means of establishing a general and uniform system of commutation, on a fair and equitable basis,—do humbly pray His Excellency to be pleased to appoint

Resolution for address to His Excellency on the Feudal Tenure.

Resolution for address
to His Excellency on
the Feudal Tenure.

a Commission, for the purpose of prosecuting the said enquiry,—and assuring His Excellency that whatever expenses may be incurred for the accomplishment of that purpose, will be made good by this House : also humbly representing to His Excellency, that the end in view, in the opinion of this House, would be best attained if a fit and proper person, residing in that part of this Province formerly known as *Lower Canada*, and well versed in the Law and practice of the said Tenure, and being a practitioner at the Bar, or a Notary of long standing, were appointed to inquire into the Feudal and Seigniorial Tenure,—and two other Commissioners, having been long resident in the said part of this Province,—were appointed to be Commissioners, jointly with the Commissioner above mentioned, and if the said Chief Commissioner were instructed to make the necessary examination and search into all Public Records and Notarial Acts, from the time of the settlement of the Country, and to establish, for several distinct periods, the true conditions on which grants of Land on Seigniority have been made by the Crown, and on which lands have been conceded *en arrière Fief* or *en Censive et Roture* ; and to collect all other requisite information connected with the said subjects : to inquire into the Laws which have, from time to time, governed, and now govern, the said Tenures :—to enquire generally into the present working of the system, by proper investigations in every section of *Lower Canada*, in a number of Seigniories, indifferently chosen by a majority of the said Commissioners, for the purpose of ascertaining as far as possible the present rents, dues, reservations, and charges of any kind,—the probable quantity of unconceded Seigniorial Lands in the Province, and their quality and value,—and also the quantity of Lands conceded but not improved,—the value of Seigniorial Mills in the Province, and the annual average value of *Lods et Ventés* paid or accruing thereon : and of obtaining such further information as may tend to throw light on the subject :—to consult the Seigniores and Censitaires respectively upon the most proper and equitable means of effecting, by Law, a commutation of the Feudal and Seigniorial Tenures (such commutation being founded upon a due regard to the rights and interests of all parties,) and also upon the most proper means of effecting an arbitration in cases where it may be required ; and if upon consideration of such information and statements, obtained by him and the other Commissioners, the said Commissioners should report their proceedings and opinions to His Excellency, in order that the same might be submitted, with the original minutes of all proceedings, to the Provincial Legislature.

Motion to concur in
resolution.

Mr. *Dunscomb* moved, seconded by Mr. *Watts*,
That this House doth concur with the Committee in the said Resolution.

The question having been put upon the said motion, a division ensued, and the names being called for they were taken down as followeth :—

YEAS.

<i>Baldwin,</i>	<i>De Salaberry,</i>	<i>McNab,</i>	<i>Sir A. N. Smith, (Went.)</i>
<i>Buchanan,</i>	<i>Dunn, Hon. J. H.</i>	<i>McLean,</i>	<i>Steele</i>
<i>Cameron,</i>	<i>Dunscomb,</i>	<i>Merritt,</i>	<i>Taché,</i>
<i>Cartwright,</i>	<i>Durand,</i>	<i>Morris,</i>	<i>Thompson,</i>
<i>Chesley,</i>	<i>Foster,</i>	<i>Parent,</i>	<i>Viger, Hon. D. B.</i>
<i>Daly, Hon. D.</i>	<i>Hincks,</i>	<i>Price,</i>	<i>Watts,</i>
<i>Day, Hon. C. D.</i>	<i>Holmes,</i>	<i>Roblin,</i>	<i>Williams,</i>
<i>Derbshire,</i>	<i>Hopkins,</i>	<i>Smith, (Front.)</i>	<i>Yule.—32.</i>

NOES.

Barth, Cook, Kimber, Neilson.—5.
Christie,

So it was carried in the Affirmative, and—
Resolved—Accordingly.

Carried.

Ordered—That the said Address be presented to His Excellency by such members of this House as are of the Honourable the Executive Council of this Province.

Mr. Price, from the Committee of the whole House on the amendments made by the Legislative Council to the Bill intituled “*An Act to provide temporarily for the administration of Justice in the Magdalen Islands, in the Gulf of Saint Lawrence,*” reported, according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk’s table, and agreed to by the House, and are as followeth:—

Chairman of Com. of whole on amendments of Leg. Council, to Magdalen Islands Judicature Bill, reports amendments.

Fill up the blank in the Clause A, with the word “Fifty.”
In the fifth amendment,
Line 10—Fill up the blank with the words “six pence.”
In the sixth amendment,
Line 2—Fill up the blank with the word “nine.”
Ordered—That the said amendments be engrossed.

Amendments.

Amendments to be engrossed.

Mr. Parent, from the Committee of the whole House to take into consideration the Message of His Excellency, the Governor General, relative to Public Improvements, together with the documents accompanying the same, and other references, reported, according to order, the additional Resolution passed by the said Committee, which Resolution was again read at the Clerk’s table, and is as followeth:—

Chairman of Com. of whole on Message on Public Improvements, reports additional Resolution.

Resolved—That the Government of this Province should be further authorized to raise, on the credit of the consolidated Revenue Fund, the sum of £109,355, to be applied to the completion of the following Roads, which are now in an unfinished state, and which have been commenced on the faith of Acts of the Provincial Legislature. Provided always, that the interest on all sums, so advanced, shall be secured by Tolls, as well as by direct taxation on the Districts in which such Roads are situated:—

11th Resolution. £109,355 granted to complete improvement of certain roads.

Queenston and Grimsby Road.....	£42,500
Kingston and Napanee do	6,000
Toronto Road, North.....	25,000
Do do East.....	7,777
Do do West.....	9,078
Hamilton and Brantford Road.....	9,000
Dundas and Waterloo do	10,000

£109,355

Ordered—That the question of concurrence be now separately put upon the several Resolutions reported yesterday, and the one now reported, from the said Committee.

Quest. of concurrence put on Resolutions of yesterday, and the present one.

The first of the said Resolutions being again read,
Mr. Neilson moved, seconded by Mr. Aylwin,

1st Resolution put, (£1,500,000 stig. loan.)

That the said Resolution be recommitted, with an instruction to amend the same, so as to omit any acknowledgement which it may contain of any public debt not contracted by and with the consent of the Representatives of the people of the late Province of Lower Canada.

Amendment moved.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:—

YEAS.

<i>Aylwin,</i>	<i>Child,</i>	<i>Morin,</i>	<i>Quesnel,</i>
<i>Baldwin,</i>	<i>Christie,</i>	<i>Neilson,</i>	<i>Taché,</i>
<i>Barthe,</i>	<i>Johnston,</i>	<i>Parent,</i>	<i>Turcotte,</i>
<i>Burnet,</i>	<i>Kimber,</i>	<i>Price,</i>	<i>Viger, Hon. D.B.</i>

(16).

NOES.

<i>Buchanan,</i>	<i>Dunlop,</i>	<i>MacNab, Sir A.N.</i>	<i>Smith, (Front.)</i>
<i>Cameron,</i>	<i>Dunn, Hon. J. H.</i>	<i>McDonald, (Pres.)</i>	<i>Smith, (Went.)</i>
<i>Cartwright,</i>	<i>Dunscumb,</i>	<i>McLean,</i>	<i>Sherwood,</i>
<i>Chesley,</i>	<i>Durand,</i>	<i>Merritt,</i>	<i>Steele,</i>
<i>Cook,</i>	<i>Foster,</i>	<i>Moffatt, Hon. G.</i>	<i>Thompson,</i>
<i>Daly, Hon. D.</i>	<i>Harrison, Hon. S.B.</i>	<i>Morris,</i>	<i>Thorburn,</i>
<i>Day, Hon. C. D.</i>	<i>Hincks,</i>	<i>Ogden, Hon. C. R.</i>	<i>Watts,</i>
<i>Derbshire,</i>	<i>Holmes,</i>	<i>Parke,</i>	<i>Williams,</i>
<i>De Salaberry,</i>	<i>Hopkins,</i>	<i>Robertson,</i>	<i>Woods,</i>
<i>Draper, Hon. W.H.</i>	<i>Killaly, Hon. H.H.</i>	<i>Roblin,</i>	<i>Yule.—40.</i>

Amendment lost.

Resolution carried.

2nd Resolution carried
(Alienation of Customs Duties.)

3rd Resolution put
(Grant to pub. works,
Class 1.)

So it passed in the Negative.

The question being then put upon the said Resolution, it was agreed to by the House.

The second of the said Resolutions being again read, and the question of concurrence being put thereon, it was agreed to by the House.

The third of the said Resolutions being again read, and the question of concurrence being put thereon, a division ensued, and the names being called for they were taken down as followeth:—

YEAS.

<i>Aylwin,</i>	<i>De Salaberry,</i>	<i>Merritt,</i>	<i>Smith, (Front.)</i>
<i>Baldwin,</i>	<i>Draper, Hon. W.H.</i>	<i>Moffatt, Hon. G.</i>	<i>Smith, (Went.)</i>
<i>Barthe,</i>	<i>Dunlop,</i>	<i>Morin,</i>	<i>Sherwood,</i>
<i>Buchanan,</i>	<i>Dunn, Hon. J. H.</i>	<i>Morris,</i>	<i>Steele,</i>
<i>Burnet,</i>	<i>Durand,</i>	<i>Neilson,</i>	<i>Taché,</i>
<i>Cameron,</i>	<i>Harrison, Hon. S.B.</i>	<i>Ogden, Hon. C. R.</i>	<i>Thompson,</i>
<i>Cartwright,</i>	<i>Hincks,</i>	<i>Parent,</i>	<i>Thorburn,</i>
<i>Chesley,</i>	<i>Holmes,</i>	<i>Parke,</i>	<i>Turcotte,</i>
<i>Child,</i>	<i>Hopkins,</i>	<i>Powell,</i>	<i>Viger, Hon. D.B.</i>
<i>Christie,</i>	<i>Killaly, Hon. H.H.</i>	<i>Price,</i>	<i>Watts,</i>
<i>Cook,</i>	<i>Kimber,</i>	<i>Quesnel,</i>	<i>Williams,</i>
<i>Daly, Hon. D.</i>	<i>McNab, Sir A. N.</i>	<i>Robertson,</i>	<i>Woods,</i>
<i>Day, Hon. C. D.</i>	<i>McDonald, (Pres.)</i>	<i>Roblin,</i>	<i>Yule.—55.</i>
<i>Derbshire,</i>	<i>McLean,</i>	<i>Simpson,</i>	

NOES.

Johnston.—1.

Resolution carried.

4th Resolution put
(Tax of 1 per ct. on
Banks)

Amendment moved.

So it was carried in the Affirmative.

The fourth of the said Resolutions being again read,

Mr. *Aylwin* moved in amendment, seconded by Mr. *Neilson*,

That under the terms of the Despatch of Lord *John Russell*, to His Excellency, the Governor General, of the 3d *May*, 1841, the guarantee promised by Her Majesty's Government, was intended to facilitate the negotiation of a loan of one million and a half pounds, for the purpose of buying in the debt of the Province at a favorable rate, and for the purpose

of completing public works necessary for the free passage between the *Western* portion of the Province, the *Saint Lawrence* and the Sea—and for those two purposes only.

The question having been put upon the motion of amendment, a division ensued, and the names being called for, they were taken down as followeth:—

YEAS.

<i>Aylwin,</i>	<i>Child,</i>	<i>Moffatt, Hon. G.</i>	<i>Price,</i>
<i>Baldwin,</i>	<i>Christie,</i>	<i>Morin,</i>	<i>Taché,</i>
<i>Barthe,</i>	<i>Johnston,</i>	<i>Neilson,</i>	<i>Turcotte,</i>
<i>Burnet,</i>	<i>McDonald, (Pres.)</i>	<i>Parent,</i>	<i>Viger, Hon. D.B.</i>
<i>Cartwright,</i>	<i>Merritt,</i>		(18).

NOES.

<i>Buchanan,</i>	<i>Dunsmuir,</i>	<i>Morris,</i>	<i>Smith, (Went.)</i>
<i>Cameron,</i>	<i>Durand,</i>	<i>Ogden, Hon. C. R.</i>	<i>Sherwood,</i>
<i>Cook,</i>	<i>Foster,</i>	<i>Parke,</i>	<i>Steele,</i>
<i>Daly, Hon. D.</i>	<i>Harrison, Hon. S.B.</i>	<i>Powell,</i>	<i>Thompson,</i>
<i>Day, Hon. C. D.</i>	<i>Hincks,</i>	<i>Quessnel,</i>	<i>Thorburn,</i>
<i>Derbshire,</i>	<i>Holmes,</i>	<i>Robertson,</i>	<i>Watts,</i>
<i>De Salaberry,</i>	<i>Hopkins,</i>	<i>Roblin,</i>	<i>Williams,</i>
<i>Draper, Hon. W.H.</i>	<i>Killaly, Hon. H.H.</i>	<i>Small,</i>	<i>Woods,</i>
<i>Dunlop,</i>	<i>Kimber,</i>	<i>Smith, (Front.)</i>	<i>Yule.—38.</i>
<i>Dunn, Hon. J. H.</i>	<i>McLean,</i>		

So it passed in the Negative.

Mr. *Cartwright* then moved, in amendment, seconded by Mr. *Burnet*,

Amendment lost.

Another amendment moved.

That the selection of Banks, as objects of Taxation, is in violation of the public faith, solemnly pledged to the several Chartered Institutions by the several Acts of Incorporation, and is highly impolitic and inexpedient, as likely to deter capital from being invested in those Institutions, which it is admitted have been highly useful to the agricultural and commercial interests of the Province.

The question having been put upon the motion of amendment, a division ensued, and it passed in the Negative.

Amendment lost.

The question being then put upon the fourth of the said Resolutions a division ensued and it was carried in the Affirmative.

4th Resolution carried,

The fifth and sixth of the said Resolutions being again severally read, and the question being separately put thereon, they were agreed to by the House.

5th & 6th Resolutions carried, (Tax on Distilleries & Auctions.)

The seventh, eighth and ninth of the said Resolutions being again severally read, and the question being separately put thereon, a division ensued, and they were carried in the Affirmative.

7th, 8th, & 9th Resolutions passed, (grants to class 2, Quebec Bridges, & L. St. Peter.)

The tenth of the said Resolutions being again read, and the question being put thereon, a division ensued, and the names being called for, they were taken down as followeth:—

10th Resolution put (£376,612, to St. Lawrence)

YEAS.

<i>Aylwin,</i>	<i>Dunlop,</i>	<i>Moffatt, Hon. G.</i>	<i>Simpson,</i>
<i>Baldwin,</i>	<i>Dunn, Hon. J. H.</i>	<i>Morin,</i>	<i>Smith, (Went.)</i>
<i>Buchanan,</i>	<i>Dunsmuir,</i>	<i>Morris,</i>	<i>Sherwood,</i>
<i>Burnet,</i>	<i>Foster,</i>	<i>Neilson,</i>	<i>Steele,</i>
<i>Chesley,</i>	<i>Harrison, Hon. S.B.</i>	<i>Ogden, Hon. C. R.</i>	<i>Taché,</i>
<i>Child,</i>	<i>Hincks,</i>	<i>Parent,</i>	<i>Thorburn,</i>
<i>Christie,</i>	<i>Holmes,</i>	<i>Parke,</i>	<i>Turcotte,</i>
<i>Cook,</i>	<i>Killaly, Hon. H.H.</i>	<i>Powell,</i>	<i>Viger, Hon. D.B.</i>
<i>Daly, Hon. D.</i>	<i>Kimber,</i>	<i>Price,</i>	<i>Watts,</i>
<i>Day, Hon. C. D.</i>	<i>McNab, Sir A. N.</i>	<i>Quessnel,</i>	<i>Williams,</i>
<i>Derbshire,</i>	<i>McLean,</i>	<i>Robertson,</i>	<i>Woods,</i>
<i>De Salaberry,</i>	<i>Merritt,</i>	<i>Roblin,</i>	<i>Yule.—49.</i>
<i>Draper, Hon. W.H.</i>			

NOES.

<i>Cartwright,</i>	<i>Hopkins,</i>	<i>McDonald, (Pres.)</i>	<i>Smith, (Front.)</i>
<i>Durand,</i>	<i>Johnston,</i>	<i>Small,</i>	<i>(7).</i>

Resolution carried.

So it was carried in in the Affirmative.

11th. Resolution put,
(£100,355 to complete
certain roads)

The eleventh and last of the said Resolutions being again read, and the question being put thereon, a division ensued, and the names being called for, they were taken down as followeth:—

YEAS.

<i>Buchanan,</i>	<i>Harrison, Hon. S. B. Merritt,</i>	<i>Smith, (Front.)</i>
<i>Cameron,</i>	<i>Hinks,</i>	<i>Smith, (Went.)</i>
<i>Cartwright,</i>	<i>Holmes,</i>	<i>Parke,</i>
<i>Dunlop,</i>	<i>Killaly, Hon. H. H. Powell,</i>	<i>Steele,</i>
<i>Dunn, Hon. J. H.</i>	<i>Kimber,</i>	<i>Thompson,</i>
<i>Durand,</i>	<i>McNab, Sir A. N. Small,</i>	<i>Thorburn,</i>
<i>Foster,</i>		<i>Woods.—25.</i>

NOES.

<i>Aylwin,</i>	<i>Cook,</i>	<i>Moffatt, Hon. G</i>	<i>Simpson,</i>
<i>Baldwin,</i>	<i>De Salaberry,</i>	<i>Morin,</i>	<i>Sherrwood,</i>
<i>Barthe,</i>	<i>Draper, Hon. W. H. Neilson,</i>		<i>Taché,</i>
<i>Black,</i>	<i>Johnston,</i>	<i>Price.</i>	<i>Turcotte,</i>
<i>Chesley,</i>	<i>McDonald, (Pres.)</i>	<i>Quesnel,</i>	<i>Viger, Hon. D. B.</i>
<i>Child,</i>	<i>McLean,</i>	<i>Raymond,</i>	<i>Yule.—25.</i>
<i>Christie,</i>			

Resolution lost by cast-
ing vote of Speaker.

And the votes being equally divided, Mr. Speaker gave his casting vote in the Negative.

Loan Bill brought in

Ordered—That Mr. Attorney General *Draper* have leave to bring in a Bill to facilitate the negotiation of a loan in England, and for other purposes therein mentioned.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time.

Ordered—That the said Bill be read a second time to-morrow.

Bill to regulate import
duties brought in.

Ordered—That the Honourable Mr. *Harrison* have leave to bring in a Bill to repeal certain Acts therein mentioned, and to consolidate the laws relating to the Provincial Duties to be levied on goods, wares and merchandize, imported into this Province.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time.

Ordered—That the said Bill be read a second time to-morrow.

Bank note duty Bill
brought in.

Ordered—That Mr. Attorney General *Ogden* have leave to bringing a Bill for levying a certain rate of duty on Bank Notes, issued and in circulation in this Province.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time.

Ordered—That the said Bill be read a second time to-morrow.

Public Improvement-
appropriation Bill
brought in.

Ordered—That Mr. Solicitor General *Day* have leave to bring in a Bill to appropriate certain sums of money for Public Improvements in this Province, and for other purposes therein mentioned.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time.

Ordered—That the said Bill be read a second time to-morrow.

Ordered—That the Honourable Mr. *Harrison* have leave to bring in a Bill to impose a duty upon Distilleries in that part of the Province heretofore *Lower Canada*.

Distilleries duty Bill brought in.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time.

Ordered—That the said Bill be read a second time to-morrow.

Ordered—That the Honourable Mr. *Harrison* have leave to bring in a Bill to make certain alterations in the Laws relative to duty upon sales of property by auction.

Auction duty Bill brought in.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time.

Ordered—That the said Bill be read a second time to-morrow.

A Bill to repeal an Ordinance passed by the Governor and Council of *Quebec*, in the 7th year of the Reign of His Majesty King *GEORGE* the Third, for preventing Persons leaving the Province without a pass, was, according to Order, read a second time.

Bill to repeal Ordinance requiring a pass read 2nd time.

Ordered—That the said Bill be engrossed.

Bill to be engrossed.

The Order of the day for the House in Committee of supply to take into consideration the message of His Excellency the Governor General, relating to the estimates for the year ending 31st *December*, 1841, and on the Report of the Select Committee to which was referred so much of the message of His Excellency, the Governor General, as relates to the said estimates, together with the Documents connected therewith, being read,

Order for House in Committee of supply on Message and report on Estimates, read.

Mr. *Neilson* moved, seconded by Mr. *Baldwin*,

That all aids and supplies granted to Her Majesty are the sole gift of the Assembly, and this House proceeds to consider of an aid or supply to be granted to Her Majesty, in the hope that justice will be done to the Inhabitants of this Province, in regard to an appropriation made by the Parliament of the United Kingdom of *Great Britain and Ireland*, for the support of the Civil Government of this Province, out of the moneys levied on the subject therein.

Motion respecting appropriation by Imperial Parliament for support of Provincial Government.

Mr. *Hincks* moved, in amendment, seconded by Mr. *Dunlop*,

That all the words after “that” in the said motion be struck out, and the following substituted “it is the undoubted right of the Assembly to grant all aids and supplies to Her Majesty, as well for the support of the Civil Government of the Province as for all other purposes whatsoever.”

Amendment moved.

The question having been put upon the said motion of amendment, a division ensued, and the names being called for they were taken down as followeth :—

YEAS.

<i>Cook,</i>	<i>Gilchrist,</i>	<i>Morris,</i>	<i>Small,</i>
<i>Dunlop,</i>	<i>Hincks,</i>	<i>Powell,</i>	<i>Smith, (Front.)</i>
<i>Dunscomb,</i>	<i>Hopkins,</i>	<i>Robln,</i>	(11).

NOES.

<i>Aylwin,</i>	<i>Christie,</i>	<i>Holmes,</i>	<i>Moffatt, Hon. G.</i>
<i>Baldwin,</i>	<i>Daly, Hon. D.</i>	<i>Johnston,</i>	<i>Murin,</i>
<i>Barthe,</i>	<i>Day, Hon. C. D.</i>	<i>Killaly, Hon. H. H.</i>	<i>Neilson,</i>
<i>Black,</i>	<i>De Salaberry,</i>	<i>Kimber,</i>	<i>Ogden, Hon. C. R.</i>
<i>Buchanan,</i>	<i>Drapcr, Hon. W. H.</i>	<i>MacNab, Sir A. N.</i>	<i>Parent,</i>
<i>Burnet,</i>	<i>Dunn,</i>	<i>McDonald, (Pres.)</i>	<i>Parke,</i>
<i>Cameron,</i>	<i>Durand,</i>	<i>McDonald, (Glen.)</i>	<i>Price,</i>
<i>Cartwright,</i>	<i>Foster,</i>	<i>McLean,</i>	<i>Quesnel,</i>
<i>Chesley,</i>	<i>Harrison, Hon. S. B.</i>	<i>Merritt,</i>	<i>Robertson,</i>

Ruel,
Sherwood,
Simpson,
Smith, (Fron.)

Steele,
Taché,
Taschereau,

Turcotte,
Viger, Hon. D.B.
Watts,

Williams,
Woods,
Yule.—49.

Amendment lost.

Another amendment moved.

So it passed in the Negative.

Mr. Attorney General *Draper* then moved, in amendment to the main motion, seconded by the Honourable Mr. *Harrison*,

That all the words after “ that ” in the said motion be struck out, and the following substituted, “ during the first Session of the Parliament of the Province of *Canada* under the Act of Union, it is not expedient to enter into any discussion of the principles upon which that measure was framed, or to express a premature condemnation of its detail.”

Consideration of question postponed till to-morrow.

On motion of the Honourable Mr. *Harrison*, seconded by Mr. *Cartwright*,

Ordered—That the said Order of the day, as well as the consideration of the main motion now offered, and amendment proposed thereto, be postponed until to-morrow, and that the same be then the first Order of the day.

Order for House in Committee on Message on Public Improvements postponed.

On motion of the Honourable Mr. *Harrison*, seconded by Mr. Solicitor General *Day*,

Ordered—That the Order of the day for the House in Committee to take into consideration the message of His Excellency, the Governor General, relative to public improvements, together with the documents accompanying the same, and other references, be postponed until *Thursday* next.

Message from Leg. Council.

A message from the Legislative Council by *John Godfrey Spragge*, Esquire, Master in Chancery.

MR. SPEAKER,

Bill to amend Usury Laws sent down for concurrence.

The Legislative Council have passed a Bill, entitled “ *An Act to amend the Usury Laws*,” to which they desire the concurrence of the Assembly,

And also,

LEGISLATIVE COUNCIL, TUESDAY, 7TH SEPTEMBER, 1841.

Leave granted to Hon. Mr. Macaulay to attend Committee.

Ordered—That the Master in Chancery do go down to the Assembly, and acquaint that House that the Legislative Council do give to the Honourable *John Macaulay*, leave to go to the Committee of the Legislative Assembly, appointed to enquire into the accounts of the Collectors of Customs in this Province, to-morrow, at nine o'clock in the forenoon, to be examined on the subject of the said reference, if he think fit.

And then he withdrew.

Bill to amend usury Laws (Leg. Council) read 1st time.

An engrossed Bill from the Legislative Council, intituled “ *An Act to amend the Usury Laws* ” was read for the first time.

Message from His Excellency.

The Honourable *S. B. Harrison*, one of Her Majesty's Executive Council, delivered to Mr. Speaker two messages from His Excellency, the Governor General, signed by His Excellency.

And the said messages were read by Mr. Speaker, all the Members of the House being uncovered, and are as followeth:—

SYDENHAM,

Message with Report of King's College Council on School Lands in U. C.

The Governor General transmits, for the information of the House of Assembly, a Report drawn up by the Committee of King's College Council, appointed, on the 26th *February*, 1840, to investigate and Report on the state of the School lands in the late Province of *Upper Canada*, together with the various Documents which accompany that Report; that the

House may have an opportunity of considering them in connexion with the measures now before them relative to education.

Kingston, 7th September, 1841.

For the Report referred to, in the preceding message, See Appendix (K.K.)

SYDENHAM,

The Governor General recommends to the House of Assembly to take into consideration the expediency of providing for the payment of the amount due to *David Thorburn*, Esquire, one of the Commissioners appointed under the Acts of the Parliament of the Province of *Upper Canada*, 5, WILLIAM 4, Cap. 30, & 6, WILLIAM 4, Cap. 46, for the purchase of a Dredging Machine, amounting to £446 4 2, with the view of the Machine and its appurtenances being in future placed under the superintendence of the Board of Works.

Message recommending payment of sum due Steam Dredge Commissioner.

Kingston, 7th September, 1841.

Ordered—That the return to the address of this House to His Excellency, the Governor General, of the 11th of *August* last, praying for a detailed statement of all salaries borne on the incomes of *Lower Canada* and *Upper Canada*, and the consolidated income of the Province of *Canada*, be printed for the use of the Members of this House.

Statement of Salaries borne on Revenue of U. & L. Canada &c. to be printed.

At 5 o'clock Mr. Speaker declared the House adjourned, until 7 o'clock, P. M.

Martis, 7^o die Septembris ;

7 o'clock, P. M.

The Order of the day for the House in Committee on the Bill to make more ample provision than heretofore, for the due administration of justice in the Territorial division of *Gaspé*, being read,

House in Com. on Gaspé Justice Bill.

The House accordingly resolved itself into the said Committee.

Mr. *Parke*, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Parke*, reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House whenever it shall be pleased to receive the same.

Bill reported with amendments.

Ordered—That the Report be received to-morrow.

The Order of the day for the House in Committee to consider the expediency of causing a general Index to be made to the Journals of the House of Assembly of the late Provinces of *Lower* and *Upper Canada*, being read,

House in Com. on Indexing Journals of Assembly of U. & L. Canada.

The House accordingly resolved itself into the said Committee.

Mr. *Watts* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Watts* reported, that the Committee had come to several Resolutions, which he was directed to submit to the House, whenever it shall be pleased to receive the same.

Resolutions reported.

Ordered—That the Report be received to-morrow.

The Order of the day for the House in Committee on the Bill to amend certain Ordinances therein mentioned, relative to the Incorporation of the City of *Quebec*, being read,

House in Com. on amending Quebec Corporation Ordinances.

The House accordingly resolved itself into the said Committee.

Mr. *Dunscomb* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Dunscomb* reported, that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table, and agreed to by the House.

Bill to be engrossed.

Ordered—That the said Bill, as amended, be engrossed.

House in Com. on
Timber inspection
Bill.

The Order of the day for the House in Committee on the Bill to regulate the inspection and measurement of Timber, Masts, Spars, Deals, Staves, and other articles of a like nature, in the Ports of *Quebec* and *Montreal*, and for other purposes relative to the same, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Foster* took the chair of the Committee.

Several Members having retired,

Mr. Speaker resumed the chair.

The names of the members present were taken down as followeth:—

Mr. Speaker,

Mr. *Black*, Mr. *Cameron*, Mr. Solicitor General *Day*, Mr. *Dunlop*, Mr. *Gilchrist*, Mr. *J. S. MacDonald*, Mr. *Simpson*, Mr. *Harmanus Smith*, Mr. *Steele*, and the Honourable Mr. *Viger*.

No Quorum

And at half past 10 o'clock at night, Mr. Speaker adjourned the House for want of a Quorum.

Mercurii, 8^o die Septembris;

Anno 5^o *Victoriæ Reginae, 1841.*

Petitions brought up.

The following Petitions were severally brought up and laid on the table:—

A. Jobin.

By Mr. *Morin*—The Petition of *André Jobin*, of *St. Geneviève*, in the District of *Montreal*, Notary.

A. Gardiner, and others.

By Mr. *Morris*—The Petition of *A. Gardiner*, and others, inhabitants of the Townships of *Nicol* and *Garafraux*, County of *Waterloo*, and District of *Wellington*; and the Petition of *James Chep*, and others, inhabitants of *West Flamborough* and *Ancaster*, in the District of *Gore*.

J. Chep, and others.

S. Lelièvre.

By Mr. *Black*—The Petition of *Simeon Lelièvre*, of the City of *Quebec*.

Bill to repeal Ordinance requiring a pass, passed

An engrossed Bill to repeal an Ordinance passed by the Governor and Council of *Quebec*, in the 17th year of the Reign of His Majesty King GEORGE the Third, for preventing persons leaving the Province without a Pass, was read for the third time.

Resolved—That the Bill do pass.

Ordered—That Mr. *Black* do carry the said Bill to the Legislative Council, and request their concurrence

Amendments of Leg. Council to Magdalen Islands Judicature Bill, as amended, passed.

On motion of Mr. *Christie*, seconded by the Honourable Mr. *Viger*,
Ordered—That the amendments made by the Legislative Council to the Bill intituled "*An Act to provide temporarily for the administration of Justice in the Magdalen Islands, in the Gulf of St. Lawrence,*" as amended, be now read for the third time.

The said amendments were accordingly read for the third time.

Resolved—That the said amendments, as amended, do pass.

Ordered—That Mr. *Christie* do carry back the said Bill to the Legis-

lative Council, and acquaint their Honours that this House hath agreed to their amendments, with several amendments, to which they desire their concurrence.

Pursuant to the Order of the day, the following Petitions were read:—

Of *John Portt*, and others, inhabitants of the Townships of *Tyendinaga* and *Richmond*, praying for a grant of £200, to be laid out on a certain road.

Of *John R. Forsyth*, and others, the Committee of Management of the *Kingston Mechanics' Institute*, praying for a sum of money to further the objects of the Institution.

Of *Benjamin Thorne*, and others, Commissioners of the *Home District Turnpike Trust*, praying that a certain portion of the Act establishing the said Trust, be repealed.

Of the Reverend *Alexander Mann*, and others, inhabitants of the Township of *Packenham*, praying that the Scriptures may be used as a Class Book in Schools and Seminaries.

Of *John Paris*, and others, inhabitants of the Townships of *McNab* and *Horton*, praying the same.

Of *Allan Stewart*, and others, inhabitants of the Township of *McNab*, setting forth certain charges against the Chief *McNab*, and praying relief.

Of *Paul Glasford*, and others, of the Town of *Brockville*, praying that the Act incorporating the said Town be repealed.

Of *Samuel Rowlands*, of the Town of *Niagara*, Printer, praying remuneration for loss said to be sustained through the violation of a certain contract.

Mr. Attorney General *Ogden*, from the Select Committee to which was referred the Bill to provide for the more easy and expeditious administration of Justice in Civil Causes, and matters involving small pecuniary value, in that part of this Province heretofore *Lower Canada*, reported that the Committee had gone through the said Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table.

Ordered—That the said Bill and Report be referred to a Committee of the whole House to-morrow, and that it be then the first order of the day.

On motion of Sir *Allan MacNab*, seconded by Mr. *Cartwright*,
Ordered—That the Order of this House of yesterday, that 300 copies of the Report of the Agent of the *Lathurst* District, relative to the Township of *McNab*, together with the remarks and letter of the Chief *McNab*, relative to the said Report, be printed for the use of the members of the House, be rescinded; and that the said Documents be referred to a Committee of seven members, to report thereon with all convenient speed; with power to send for persons, papers and records.

Ordered—That Sir *Allan MacNab*, Mr. *Cameron*, Mr. *Dunlop*, Mr. *Thorburn*, Mr. *Quesnel*, Mr. *Buchanan*, and Mr. *Parke*, do compose the said Committee.

Mr. *Cameron* moved, seconded by Mr. *Williams*,
That an humble Address of condolence be presented to His Excellency, the Governor General, assuring His Excellency that this House feel a lively sympathy in the serious accident sustained by His Excellency, and that they participate, with the community at large, in an anxious solicitude for his speedy recovery.

Petitions read.

Of J. Port, & others.

Of J. R. Forsyth, and others, (Kingston Mechanic's Institute.)

Of B. Thorne, and others, (Home Dist. Turnpike Trust.)

Of Rev. A. Mann, and others.

Of J. Paris, and others.

Of Allen Stewart, and others.

Of P. Glasford, and others.

Of S. Rowlands.

Com. on Bill for recovery of small debts in Canada E., report Bill as amended.

Bill referred to Com. of whole to-morrow.

Order for printing report on McNab, settlement, rescinded.

Report on McNab settlement referred to Select Committee.

Address condoling with His Excellency on his late accident, ordered.

The question having been put upon the said motion, a division ensued, and it was carried in the Affirmative.

Resolved—Accordingly.

Ordered—That the said Address be presented to His Excellency by such members of this House as are of the Honourable the Executive Council of this Province.

Leave of absence to Mr. Moffatt.

Ordered—That the Honourable Mr. *Moffatt* have leave to absent himself from this House, until the end of the present Session, on urgent business.

Further leave to Com. on election for 2nd Riding York, to adjourn.

On motion of Mr. *Small*, seconded by Mr. *Williams*,

Ordered—That the Committee appointed to try the merits of the Petition of *Robert Melville* and *John McBride*, Electors of the Town of *Niagara*, complaining of the undue election and return of *Edward Clarke Campbell*, Esquire, sitting member for the said Town of *Niagara*, have leave to adjourn until *Monday* next—the Report of the Commissioners appointed to take evidence in the matter of the said contested election, not having been received.

House to go into Com. to-morrow, to provide for payment of contingencies of last Session of U. C.

On motion of Mr. *Thorburn*, seconded by Mr. *Dunlop*,

Resolved—That this House will, to-morrow, resolve itself into a Committee of the whole House to take into consideration the expediency of providing for the balance of the Contingent Expenses of the last Session of the Legislature of *Upper Canada*.

House to go into Com. on the Niagara and other Bank Bills at 7 o'clock.

On motion of Mr. *Merritt*, seconded by Mr. *Thorburn*,

Ordered—That the Order of the day for the House in Committee, on the Bill to Incorporate sundry persons under the style and title of the President, Directors and Company of the Bank of the *Niagara* District, be the first order of the day for this Evening's sitting, and that Committees of the whole on the several other Bank Bills do follow in succession.

Message on balance due to Steam Dredge Commissioner, referred to Com. of whole on report on Steam Dredge.

On motion of the Honourable Mr. *Harrison*, seconded by Mr. *J. S. Macdonald*,

Ordered—That the Message of His Excellency, the Governor General, of yesterday, relative to the amount due to *David Thorburn*, Esquire, as Commissioner to purchase the Steam Dredging Vessel, be referred to the Committee of the whole House on the Report of the Special Committee to which was referred the Report of the Commissioner of the Provincial Steam Dredging Machine.

Usury Law repeal Bill (Leg. Council) to be read 2nd time to-morrow.

On motion of the Honourable Mr. *Harrison*, seconded by Mr. *Roblin*,
Ordered—That the engrossed Bill from the Legislative Council, intituled "*In Act to amend the Usury Laws*," be read a second time to-morrow.

Chairman of Com. of whole on Gaspé justice Bill reports amendments to Bill.

Mr. *Parke*, from the Committee of the whole House on the Bill to make more ample provision than heretofore for the due administration of Justice in the Territorial Division of *Gaspé*, reported, according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Bill to be engrossed.

Ordered—That the said Bill, as amended, be engrossed.

Chairman of Com. of whole on Indexing Journals of Assembly of U. and L. Canada, reports resolutions.

Mr. *Watts*, from the Committee of the whole House to consider the expediency of causing a general Index to be made to the Journals of the House of the Assembly of the late Provinces of *Upper* and *Lower Canada*, reported, according to order, the Resolutions of the said Committee, which Resolutions were again read at the Clerk's table, and agreed to by the House, and are as followeth:—

1st Resolution

Resolved—That it is expedient to authorize the Clerk of this House

to cause a general Index to be made to the Journals of the House of Assembly of the late Provinces of *Upper* and *Lower Canada*.

Resolved—That the Speaker of this House be authorized to advance, from time to time, to the Clerk of this House, out of the Contingent Funds of this House, such sum or sums of money as he shall deem necessary to facilitate the work.

2nd Resolution.

A Bill to authorize the holding of District Courts and Division Courts in and for the County of *Simcoe*, was, according to order, read a second time.

Bill for holding Dist. and Division Courts in Simcoe, read 2nd time.

Ordered—That the said Bill be referred to a Committee of the whole House to-morrow.

A Bill to appoint additional Commissioners to settle the affairs of the late pretended Bank of *Upper Canada*, at *Kingston*, was, according to order, read a second time.

Bill appointing additional Commissioners on late Kington Bank read 2nd time.

Ordered—That the said Bill be engrossed.

Bill to be engrossed.

A Bill to extend the time limited by Law for the construction and completion of the *Port Dover* Harbour, was, according to order, read a second time.

Bill to extend time for completing Port Dover Harbour read 2nd time.

Ordered—That the said Bill be engrossed.

Bill to be engrossed.

The Order of the day for the second reading of the Bill to define the *Westerly* limit of the County of *Norfolk*, being read,

Order for 2nd reading of Bill to define limit of Norfolk postponed.

Ordered—That the said Order of the day be postponed until to-morrow.

A Bill to facilitate the negotiation of a loan in *England*, and for other purposes therein mentioned was, according to order, read a second time.

Loan Bill read 2nd time.

Ordered—That the said Bill be referred to a Committee of the whole House to-morrow.

A Bill to repeal certain Acts therein mentioned, and to consolidate the Laws relating to the Provincial Duties to be levied on Goods, Wares and Merchandize, imported into this Province was, according to order, read a second time.

Bill to regulate customs Duties read 2nd time.

Ordered—That the said Bill be referred to a Committee of the whole House to-morrow.

A Bill for levying a certain rate of duty on Bank Notes issued and in circulation in this Province, was, according to order, read a second time.

Bank note Duty Bill read 2nd time.

Ordered—That the said Bill be referred to a Committee of the whole House to-morrow.

A Bill to appropriate certain sums of money for Public Improvements in this Province, and for other purposes therein mentioned, was, according to order, read a second time.

Public Improvements appropriation Bill read 2nd time.

Ordered—That the said Bill be referred to a Committee of the whole House to-morrow.

A Bill to impose a duty upon Distilleries in that part of the Province heretofore *Lower Canada*, was, according to order, read a second time.

Distilleries Duty Bill read 2nd time.

Ordered—That the said Bill be referred to a Committee of the whole House to-morrow.

A Bill to make certain alterations, in the Laws relative to duty upon sales of property by auction, was, according to order, read a second time.

Auction Sales Duty Bill read second time.

Ordered—That the said Bill be referred to a Committee of the whole House to-morrow.

House in Com. on
Timberinspection Bill.

The Order of the day for the House in Committee on the Bill to regulate the inspection and measurement of timber, masts, spars, deals, staves, and other articles of a like nature, in the Ports of *Quebec* and *Montreal*, and for other purposes relative to the same, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Williams* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Bill reported with
amendments

And Mr. *Williams* reported, that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House whenever it shall be pleased to receive the same.

Ordered—That the Report be received to-morrow.

Message from Legis.
Council

A message from the Legislative Council by *John Godfrey Spragge*, Esquire, Master in Chancery.

MR. SPEAKER,

Periodical Census Bill
sent down amended.

The Legislative Council have passed the Bill, intituled “*An Act to repeal certain parts of an Act therein mentioned, and to provide for taking a periodical census of the Inhabitants of this Province, and for obtaining the other statistical information therein mentioned,*” with an amendment, to which they desire the concurrence of the Assembly.

And then he withdrew.

Order for House in
Com. of supply on
Message and Report
on Estimates. read

The Order of the day for the House in Committee of supply, to take into consideration the message of His Excellency, the Governor General, relating to the estimates for the year ending 31st *December*, 1841, and the Report of the Select Committee to which was referred so much of the message of His Excellency, the Governor General, as relates to the said estimates, together with the Documents connected therewith,

With Mr. Neilson's
motion thereon.

And for taking into further consideration Mr. *Neilson's* motion of yesterday, viz—“that all aids and supplies granted to Her Majesty are the sole gift of the Assembly, and this House proceeds to consider of an aid or supply to be granted to Her Majesty, in the hope that justice will be done to the Inhabitants of this Province in regard to an appropriation made by the Parliament of the United Kingdom of *Great Britain* and *Ireland*, for the support of the Civil Government of this Province, out of the money's levied on the subject therein;”

And Mr. Draper's
amendment.

And also, Mr. Attorney General *Draper's* motion, in amendment thereto, viz: “That all the words after “that” in the said motion be struck out, and the following substituted, “during the first Sessions of the Parliament of the Province of *Canada*, under the Act of Union, it is not expedient to enter into any discussion of the principles upon which that measure was framed, or to express a premature condemnation of its detail,” being read,

And the question being put upon the motion of amendments, a division ensued, and the names being called for, they were taken down, as followeth:—

YEAS.

<i>Black,</i>	<i>Draper, Hon. W.H. McDonald, (Pres.)</i>	<i>Simpson,</i>
<i>Buchanan,</i>	<i>Dunlop,</i>	<i>McDonald, (Glen.) Steele,</i>
<i>Cartwright,</i>	<i>Dunn, Hon. J. H. Moffatt, Hon. G.</i>	<i>Taschereau,</i>
<i>Chesley,</i>	<i>Dunscomb,</i>	<i>Moore,</i>
<i>Child,</i>	<i>Foster,</i>	<i>Ogden, Hon. C. R. Watts,</i>
<i>Daly, Hon. D.</i>	<i>Gilchrist,</i>	<i>Parke,</i>
<i>Day, Hon. C. D.</i>	<i>Harrison, Hon. S.B. Poirell,</i>	<i>Williams,</i>
<i>Derbishire,</i>	<i>Holmes,</i>	<i>Woods,</i>
<i>De Salaberry,</i>	<i>Killaly, Hon. H.H. Roblin,</i>	<i>Yule.—35. + 6 = 41</i>

NOES.

<i>Aylwin,</i>	<i>Hincks,</i>	<i>Morris,</i> !	<i>Smith, (Fron.)</i> !
<i>Baldwin,</i>	<i>Johnston,</i>	<i>Neilson,</i>	<i>Smith, (Went.)</i>
<i>Barthe,</i>	<i>Kimber,</i>	<i>Parent,</i>	<i>Sherwood,</i> !
<i>Burnet,</i>	<i>McNab, Sir A. N.</i>	<i>Price,</i>	<i>Taché,</i>
<i>Cameron,</i> !	<i>McLean,</i> !	<i>Quesnel,</i>	<i>Thorburn,</i> !
<i>Christie,</i>	<i>Merritt,</i>	<i>Ruel,</i>	<i>Turcotte,</i>
<i>Cook,</i>	<i>Morin,</i>	<i>Small,</i>	<i>Viger, Hon.D.B.</i>
<i>Durand,</i>			(29).- 6 = 23

Amendment carried.

So it was carried in the Affirmative.

The question being then put on the main motion, as amended, a division again ensued.

Yeas 35.
Noes 29.

And the names being called for they were take down as in the last preceding division.

Main motion as amended carried.

Mr. *Neilson* moved, seconded by Mr. *Baldwin*,

That no votes of this House at the present Session, for any Salaries or fixed allowances, beyond those recognized by the votes on which the appropriations of the Act of 1832, for the support of the Civil Government of *Lower Canada*, was founded, or the votes of the Assembly of the late Province of *Upper Canada*, be held as engaging this House for the future, as to the amount of such salaries or allowances, or as a recognition of any such salaries or allowances not heretofore voted by the Representative Assemblies of the said Provinces respectively.

Motion that no votes of new salaries be considered as a recognition thereof in future.

Mr. Attorney General *Draper* moved, in amendment, seconded by Mr. *Parke*,

Amendment moved.

That all the words after "that" in the said motion be struck out, and the following substituted: "this House, in thus deferring any expression of their sentiment, are actuated by an anxious desire to arrive at conclusions which shall be based upon actual experience, upon which they will be hereafter prepared to exercise their constitutional right, of claiming from the justice of the Sovereign and the Imperial Parliament, such modifications and changes as they may find necessary, for the peace, welfare, and good Government of this Province."

The question having been put upon the motion of amendment, a division ensued, and the names being called for they were taken down as followeth:—

YEAS

<i>Black,</i>	<i>Dunn, Hon J. H.</i>	<i>McDonald, (Pres.)</i>	<i>Simpson,</i>
<i>Buchanan,</i>	<i>Dunscumb,</i>	<i>Moore,</i>	<i>Steele,</i>
<i>Cameron,</i>	<i>Foster,</i>	<i>Ogden, Hon. C. R.</i>	<i>Taschereau,</i>
<i>Daly, Hon. D.</i>	<i>Gilchrist,</i>	<i>Parke,</i>	<i>Watts,</i>
<i>Day, Hon. C. D.</i>	<i>Harrison, Hon. S.B.</i>	<i>Powell,</i>	<i>Williams,</i>
<i>Derbshire,</i>	<i>Holmes,</i>	<i>Robertson,</i>	<i>Woods,</i>
<i>De Salaberry,</i>	<i>Killaly, Hon. H.H.</i>	<i>Roblin,</i>	<i>Yule.—29.</i>
<i>Draper, Hon. W.H.</i>			

NOES.

<i>Aylwin,</i>	<i>Christie,</i>	<i>MacNab, Sir A.N.</i>	<i>Neilson,</i>
<i>Baldwin,</i>	<i>Cook,</i>	<i>Merritt,</i>	<i>Parent,</i>
<i>Barthe,</i>	<i>Durand,</i>	<i>Moffatt, Hon. G.</i>	<i>Price,</i>
<i>Burnet,</i>	<i>Hincks,</i>	<i>Morin,</i>	<i>Quesnel,</i>
<i>Cartwright,</i>	<i>Kimber,</i>	<i>Morris,</i>	<i>Ruel,</i>

<i>Small,</i>	<i>Sherwood,</i>	<i>Thompson,</i>	<i>Turcotte,</i>
<i>Smith, (Front.)</i>	<i>Taché,</i>	<i>Thorburn,</i>	<i>Viger, Hon.D.B.</i>
<i>Smith, (Went.)</i>			(29).

Amendment lost, by
Speaker's casting vote.

And the votes being equally divided, Mr. Speaker gave his casting vote in the Negative.

The question being then put on the main motion, a division again ensued, and the names being called for, they were taken down as followeth:—

YEAS.

<i>Aylwin,</i>	<i>Durand,</i>	<i>Neilson,</i>	<i>Smith, (Went.)</i>
<i>Baldwin,</i>	<i>Hincks,</i>	<i>Parent,</i>	<i>Sherwood,</i>
<i>Barthe,</i>	<i>Kimber,</i>	<i>Price,</i>	<i>Taché,</i>
<i>Burnet,</i>	<i>McNab, Sir A.N.</i>	<i>Quesnel,</i>	<i>Thompson,</i>
<i>Cameron,</i>	<i>Merritt,</i>	<i>Ruel,</i>	<i>Thorburn,</i>
<i>Cartwright,</i>	<i>Moffatt, Hon. G.</i>	<i>Small,</i>	<i>Turcotte,</i>
<i>Christie,</i>	<i>Morin,</i>	<i>Smith, (Front.)</i>	<i>Viger, Hon.D.B.</i>
<i>Cook,</i>	<i>Morris,</i>		(30).

NOES.

<i>Black,</i>	<i>Dunlop,</i>	<i>McDonald, (Pres.)</i>	<i>Simpson,</i>
<i>Buchanan,</i>	<i>Dunn, Hon. J.H.</i>	<i>Moore,</i>	<i>Steele</i>
<i>Child,</i>	<i>Dunscomb.</i>	<i>Ogden, Hon. C.R.</i>	<i>Taschereau,</i>
<i>Daly, Hon. D.</i>	<i>Foster,</i>	<i>Parke,</i>	<i>Watts,</i>
<i>Day, Hon. C. D.</i>	<i>Gilchrist,</i>	<i>Powell,</i>	<i>Williams,</i>
<i>Derbshire,</i>	<i>Harrison, Hon. S.B.</i>	<i>Robertson,</i>	<i>Woods,</i>
<i>De Salaberry,</i>	<i>Holmes,</i>	<i>Roblin,</i>	<i>Yule.—30.</i>
<i>Draper, Hon. W.H.</i>	<i>Killaly, Hon. W.H.</i>		

Main motion carried
by Speaker's vote

And the votes being equally divided, Mr. Speaker gave his casting vote in the Affirmative.

Statement of Fees &c.
to commissioned Pub.
Officers, to be laid
before the House
every Session.

Mr. *Neilson* moved, seconded by Mr. *Baldwin*,

That statements of all fees and allowances made for the services of any Public Officer commissioned within this Province, shewing the authority under which such fees are levied or paid, and the amount paid to such Officer respectively, upon an average of the then last five years, be laid before this House within ten days of the opening of each Session of the Legislature, together with a return of all advances to any Public Officer or Commissioner, and all engagements of the security of the Province to Trustees, Commissioners, or otherwise, unaccounted for at the time of making such return, and for which such Officer or Commissioner or Trustees are not then acquitted; and also of all arrears or balances due by any Receiver or Collector, together with the date of such advances, and when such arrears or balances become due.

The question being put upon the said motion it was agreed to unanimously and—

Resolved—Accordingly.

House in Com. of
Supply on Message &
Report on Civil Es-
timates.

The House then resolved itself into a Committee of supply, to take into consideration the Message of His Excellency, the Governor General, relating to the estimates for the year ending 31st *December*, 1841, and on the report of the Select Committee to which was referred so much of the Message of His Excellency, the Governor General, as relates to the said estimates, together with the Documents connected therewith.

Mr. *Morris*, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Morris*, reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Progress reported.

Ordered—That the said Committee have leave to sit again to-morrow, and that it be then the first Order of the day.

A message from the Legislative Council by *John Godfrey Spragge*, Esquire, Master in Chancery.

Message from Legns. Council.

MR. SPEAKER,

The Legislative Council have passed the following Bills, with several amendments, to which they desire the concurrence of the Assembly :

Bills sent down amended.

“ *An Act for improving the administration of Criminal Justice in this Province.*”

Criminal Justice administration Bill.

“ *An Act for consolidating and amending the Laws in this Province relative to Larceny and other offences connected therewith.*”

Larceny Bill

And then he withdrew.

At 5 o'clock, Mr. Speaker declared the House adjourned until 7 o'clock, P. M.

Mercurii, 8^o die Septembris ;

7 o'clock P. M.

The Order of the day for the House in Committee on the Bill to increase the Capital Stock of the Commercial Bank of the *Midland District*, being read,

House in Committee on Commercial Bank stock increase Bill.

The House accordingly resolved itself into the said Committee.

Mr. *Burnet* took the chair of the Committee.

Several members having retired,

Mr. Speaker resumed the chair.

The names of the members present were taken down as followeth :—

Mr. Speaker,

Mr. *Baldwin*, Mr. *Buchanan*, Mr. *Burnet*, Mr. *Cameron*, Mr. *Cartwright*, Mr. *Durand*, Mr. *Hincks*, Mr. *Holmes*, the Honourable Mr. *Moffatt*, Mr. *Morin*, Mr. *Morris*, Mr. *Price*, Mr. *Simpson*, Mr. *Henry Smith*, Mr. *Thompson*, and the Honourable Mr. *Viger*.

No Quorum.

And at 10 o'clock at night, Mr. Speaker adjourned the House, for want of a Quorum.

Jovis, 9^o die Septembris ;

Anno 5^o Victoriae Reginae, 1841.

Pursuant to the Order of the day, the following Petitions were read :—

Petitions read.

Of the Master, Deputy Master and Wardens, of the *Trinity House of Quebec*, praying that certain clauses, proposed to be introduced in the Bill now before the House, relative to the Corporation of the *Trinity House of Quebec*, be rejected.

Of Master, &c. Quebec Trinity House.

Of *William Holms*, and others, inhabitants of the Township of *Brantford*, in the *Gore District*, praying that a duty be laid upon produce imported from the *United States*.

Of W. Holms and others.

Petitions referred.

Of W. Logie and others,
W. Smart and others,
A. Gale and others,

A. Gardiner & others,
J. Chep and others,

— to Sel. Com.

On motion of Mr. *Morris*, seconded by Mr. *Roblin*.

Resolved—That the Petitions of *William Logie*, and others, inhabitants of *Kingston*, and its vicinity; of *Wm. Smart*, and others, inhabitants of the Town of *Brockville*; of *A. Gale*, and others, Trustees of the *Gore* District School, presented to the House on the 3d instant; and the Petitions of *A. Gardiner*, and others, inhabitants of the Townships of *Nicol*, *Garafraza*, County of *Waterloo*, and District of *Wellington*; and *James Chep*, and others, inhabitants of *West Flamborough* and *Ancaster*, in the District of *Gore*, presented to the House yesterday—be referred to a Select Committee, composed of Mr. *Thorburn*, Mr. *Merritt*, Mr. *Dunscomb*, and Mr. *Roblin*, to examine the contents thereof, and to report thereon with all convenient speed, by Bill or otherwise; with power to send for persons, papers and records.

Of S. Lelièvre, to Sel. Com.

On motion of Mr. *Black*, seconded by Mr. *Parent*.

Resolved—That the Petition of *Simeon Lelièvre*, of the City of *Quebec*, presented to the House yesterday, be referred to a Select Committee composed of Mr. *Parent*, Mr. *Aytchin*, Mr. *Taché* and Mr. *Taschereau*, to examine the contents thereof, and report thereon with all convenient speed; with power to send for persons, papers and records.

Gaspé Justice Bill read 3rd time.

An engrossed Bill to make more ample provision than heretofore, for the due administration of Justice in the Territorial Division of *Gaspé*, was read for the third time.

Ryder moved.

Mr. *Christie* moved, seconded by Mr. *Parent*,

That the following engrossed Clause, marked A, be added to the said Bill, by way of *Ryder*, and do follow the 9th Clause, and make part of the said Bill:

CLAUSE A.

“And be it enacted, that during this Act the General Quarter Sessions of the Peace in and for the said District, shall be held at the following times and places, and none other—that is to say: at *Percé*, from the tenth to the fourteenth of *February* inclusively; and at *New Carlisle*, from the twenty fifth to the twenty eighth of *February*, inclusively, any Statute or Law to the contrary heretofore in any wise notwithstanding.

Ryder carried

The said Clause being thrice read, and the question being put thereon, it was agreed to by the House.

Bill passed.

Resolved—That the Bill do pass, and that the title be “*An Act to make more ample provision than heretofore for the due administration of Justice in the District of Gaspé.*”

Ordered—That Mr. *Christie* do carry the said Bill to the Legislative Council, and desire their concurrence.

Bill to amend Quebec Corporation Ordinance passed.

An engrossed Bill to amend certain Ordinances therein mentioned, relative to the incorporation of the City of *Quebec*, was read for the third time.

Resolved—That the Bill do pass.

Ordered—That Mr. *Neilson* do carry the said Bill to the Legislative Council, and desire their concurrence.

Amendments of Leg. Council to Criminal Justice Bill considered.

On motion of Mr. *Black*, seconded by Mr. *Cartwright*,

Ordered—That the amendments made by the Legislative Council to the Bill intituled “*An Act for improving the administration of Criminal Justice in this Province,*” be now taken into consideration.

The House proceeded, accordingly, to take the said amendments into consideration.

Amendments.

And the said amendments were read, and are as followeth:—

Press 8, Line 8—Leave out from “transported” to “imprisoned,” in the ninth line, inclusively, and insert “imprisoned at hard labour in the

Provincial Penitentiary, for any term not less than seven years, or to be imprisoned in any other prison or place of confinement."

Press 8, Line 11—Leave out from "and" to "year" in the 17th line, inclusively.

Press 9, Line 19—After "Gaol" insert "or."

Press 9, Line 20—Leave out "or Penitentiary."

Press 9, Line 32—Leave out from "either" to "transportation" in the thirty third and thirty fourth lines, inclusively, and insert "of imprisonment, the Court."

Press 9, Lines 35 and 36—Leave out "or transportation."

Press 9, Lines 37 and 38—Leave out "or transportation," respectively.

Press 9, Lines 38 and 39—Leave out "either of those punishments," and insert "such punishment."

Press 10, Line 6—Leave out from "transported" to "years," in the eighth line, inclusively, and insert "imprisoned at hard labour in the Provincial Penitentiary, for any term not less than seven years, or to be imprisoned in any other prison or place of confinement for any term not exceeding two years."

Press 10, Line 31—Leave out from "transported" to "imprisoned," in the thirty second and thirty third lines, inclusively, and insert "imprisoned at hard labour in the Provincial Penitentiary, for any term not less than seven years, or to be imprisoned in any other prison or place of confinement."

Press 18, Line 26—After the 52d Clause, insert additional Clause A.

(A.)

"And be it enacted, that the period of imprisonment in the Provincial Penitentiary, in pursuance of any sentence passed under this Act, or under any other Act relating to the punishment of offences by confinement and imprisonment in the Provincial Penitentiary, shall be held to commence from the period of passing such sentence, whether the convict upon whom such sentence shall be passed, shall be removed to the said Provincial Penitentiary forthwith, or be detained in custody in any other prison or place of confinement, previously to such removal."

Press 18, Line 28—Leave out all the words after "after" to "Parliament," in the 29th line, inclusively, and insert "the first day of January, one thousand eight hundred and forty two."

And the said amendments being again read, they were agreed to by the House.

Ordered—That Mr. *Black*, do carry back the said Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their amendments.

On motion of Mr Solicitor General *Day*, seconded by Mr *Dunscomb*,

Ordered—That the amendments made by the Legislative Council to the Bill intituled "*An Act to repeal certain parts of an Act therein mentioned and to provide for taking a periodical census of the Inhabitants of this Province, and for obtaining the other statistical information therein mentioned,*" be now taken into consideration.

The House proceeded, accordingly, to take the said amendment into consideration,

And the said amendment was read, and is as followeth :—

Leave out the Schedule attached to the Bill, and substitute the following, in lieu thereof :

Amendment^o of Leg.
Council to Criminal
Justico Bill.

Amendment of Leg.
Council to Periodical
Census Bill consider-
ed.

Amendment.

SCHEDULE.

Amendment of Leg. Council to Periodical Census Bill.

“ RETURN of the Enumeration of the Inhabitants of ———, with the other
 “ statistical information to be obtained in such ———, by an Act in-
 “ titled, “ *An Act to repeal certain parts of an Act therein mentioned*
 “ *and to provide for taking a Periodical Census of the Inhabitants of*
 “ *this Province, and for obtaining the other statistical information*
 “ *therein mentioned.*”

		Houses with their local situations in any Range, Concession, Street, &c
Total.		
	Houses Inhabited.	
	Houses Vacant.	
	Houses Building.	
	Name of the head of each family.	
	Proprietor of real property.	
	Non Proprietor of real property.	
	Tenant entitled to vote at any Election in City, Town, &c.	
	Trade or Profession.	
	Total number of inmates in each family, Male and Female, now resident.	
	Number of persons belonging to the family, Male or Female now temporarily absent.	
	Number of natives of England belonging to each family.	
	do. of Ireland do.	
	do. of Scotland do.	
	do. of Canada do. of French origin.	
	do. of Canada do. of British origin.	
	do. of the Continent of Europe, or otherwise, specifying the same separately.	
	do. of the United States of America.	
	Number of years each person has been in the Province when not natives thereof.	
	Number of Aliens not naturalized.	
	Male.	Number of persons in the family, five years of age and under
	Female.	Number of persons in the family above five and under four- teen years of age.
	Male.	14 and under 18
	Female.	18 and not 21.
	Male.	21 and not 30.
	Female.	30 and not 60.
	Married.	60 and upwards.
	Single.	
	Married.	
	Single.	
	Married.	
	Single.	
	Married.	
	Single.	

SCHEDULE - Continued.

Amendment of Leg. Council to Periodical Census Bill.

	14 and not 45.	Female.
Married.		
Single.		
Married.		
Single.		
Males.		
Females.		
Males.		
Females.		
Males.		
Females.		
Males.		
Females.		
Number of persons in each family belonging to the Church of England.		
Number of persons in each family belonging to the Church of Scotland.		
Number of persons in each family belonging to the Church of Rome.		
Number of British Wesleyan Methodists in each family.		
Number of Canadian Wesleyan Methodists in each family.		
Number of Episcopal Methodists in each family.		
Number of other Methodists in each family.		
Number of Presbyterians not in connexion with the Church of Scotland in each family.		
Number of Congregationalists or Independents in each family.		
Number of Baptists and Anabaptists in each family.		
Number of Lutherans in each family.		
Number of Quakers in each family.		
Number of the Dutch Reformed Church in each family.		
Number of Jews in each family.		
Number of persons of all other Religious Denominations not herein enumerated in each family.		
Number of Male Coloured persons in each family.		
Number of Female Coloured persons in each family.		
Number of Male Farm Servants employed in each family.		
Number of other Male Servants in private families.		
Number of other Female Servants in private families.		
Number of persons engaged in Trade or Commerce.		
Number of persons in each family subsisting on alms or paupers.		
Number of acres or arpents of lands occupied by each family.		

SCHEDULE—Continued.

Amendment of Leg.
Council to Periodical
Census Bill.

Number of acres or arpents of improved land occupied by each family	Produce raised by each family during the last year, and estimated in Winchester Bushel.
Wheat.	
Barley	
Rye.	
Oats.	
Pease.	
Indian Corn.	
Buck Wheat.	
Potatoes.	
Number of Hives of Bees kept by each family last season	
Number of pounds of Maple Sugar made by each family last season.	
Neat Cattle.	
Horses.	
Sheep.	
Hogs	
Number of yards of Filled Cloth manufactured in domestic way in the same family.	
Number of yards of Linen, Cotton, or other thin Cloth, manufactured in the domestic way in the same family.	
Number of yards of Flannel or other Woolen Cloth, not Felled, manufactured in the domestic way in the same way.	
Number of pounds of Wool procured during the last year in each family.	
Under what tenure such land is held by each family.	
Rate of Seigniorial Rent paid for land held <i>a titre des cens</i> .	
Average money rent of farm, farmed by each family.	
Proportion of produce allowed to the Proprietor for land held on lease or cultivated on shares by each family.	
Number of Colleges, or Academies, in each Parish, Township, extra-parochial place, Ward or Division of Town, &c.	
Number of Elementary Schools in every such place.	
Male.	
Female.	
Number of Taverns or Houses of Public Entertainment in every such place.	
Number of Stores where Spirituous Liquors are sold in every such place.	
Number of Grist Mills in every such place.	
Number of pairs of Mills Stones used in each Mill.	
Number of Oatmeal Mills in every such place.	
Number of Barley Mills in every such place.	
	Number of Scholars at each such College, Academy, Convent or Elementary School.

SCHEDULE—Continued.

Amendment of Leg. Council to Periodical Census Bill.

Number of Saw Mills in every such place.
Number of Oil Mills in every such place.
Number of Fulling Mills in every such place.
Number of Carding Mills in every such place.
Number of Threshing Mills in every such place.
Number of Paper Mills in every such place.
Number of Iron Works in every such place.
Number of Trip Hammers in every such place.
Number of Nail Factories in every such place.
The weight of Nails so manufactured in such place.
Number of Distilleries in every such place.
Number of Breweries in every such place.
Number of Tanneries in every such place.
Number of Pot and Pearl Ash Manufactories in every such place.
Number of Manufactories of any other sort in every such place, containing any Machinery moved by Wind, Water, Steam or Animal power, specifying the purposes to which such Machinery is applied, and by what power it is moved.
Average price of Wheat in every such place since last harvest.
Average price of Agricultural Labour per day throughout the year.

" I, A. B., do swear, that the above Return is true and correct, to the best of my knowledge and belief, that I have not willfully made any false statement therein, and that I have used my best diligence and endeavour to obtain true information on all matters to which it relates,—

" So HELP ME GOD. (Signature) A. B., Assessor for the _____ of _____.

" Sworn before, one of Her Majesty's Justices of the Peace, for the _____ of _____, at _____, this _____ day of _____, 19____.

" (Signed) C. D., J. P.

Motion to concur in
Amendment.

Mr. Solicitor General *Day* moved, seconded by Mr. *Dunscomb*,
That this House doth concur with the Legislative Council in the
said amendment.

Amendment moved

Mr. *Roblin* moved, in amendment, seconded by Mr. *Child*,
That all the words after "that" in the said motion, be struck out,
and the following substituted—"the Schedule annexed to the Bill be
amended, by expunging the several denominations of Methodists" and in-
serting one column only for the Methodists."

Lost.

The question having been put upon the motion of amendment, a di-
vision ensued, and it passed in the Negative.

Main motion carried

The question being then put upon the main motion, it was agreed to
by the House, and—

Resolved—Accordingly.

Ordered—That Mr. Solicitor General *Day*, do carry back the said
Bill to the Legislative Council, and acquaint their Honors that this House
hath agreed to their amendment.

Education Bill (Leg.
Coun.) read 2nd time

On motion of Mr. *Morris*, seconded by Mr. *Merritt*,
Ordered—That the engrossed Bill from the Legislative Council, inti-
tuled "*An Act to repeal a certain Act therein mentioned, relating to educa-
tion, and to make other provision for the encouragement thereof*," be now
read a second time.

The said Bill was accordingly read a second time.

Petition of S Row-
lands referred to Sel.
Coun.

On motion of Mr. *Johnston*, seconded by Mr. *Tompson*.
Resolved—That the Petition of *Samuel Rowlands*, of the Town of
Niagara, presented to the House on the 6th instant, be referred to a Select
Committee, composed of Sir *Allan MacNab*, and Mr. *Morin*, to examine
the contents thereof, and report thereon with all convenient speed; with
power to send for Persons, papers, and records.

Com on Petition of
Amos West report Bill
to alter W Grillim-
bury Road

Sir *Allan MacNab*, from the Select Committee to which was referred
the Petition of *Amos West*, of the Township of *West Grillimbury*, with
power to report by Bill or otherwise, presented to the House a Bill to
authorize a certain change in the place of a Turnpike Road in the Town-
ship of *West Grillimbury*, which was received, and read for the first time.

Bill read 1st time

Ordered—That the said Bill be read a second time to-morrow.

Bill to amend Hamil-
ton Police brought in.

Ordered—That Sir *Allan MacNab*, have leave to bring in a Bill to
to amend a certain Act passed, in the 3rd year of the Reign of His late
Majesty WILLIAM the Fourth, intituled "*An Act to define the limits of
the Town of Hamilton, in the District of Gore, and to establish a Police
and Public Market therein*."

He accordingly presented the said Bill to the House, and the same
was received, and read for the first time.

House in Com on
amending District
Courts Law

On motion of Sir *Allan MacNab*, seconded by Mr. *Cartwright*.
Resolved—That this House do now resolve itself into a Committee
of the whole House, to consider the expediency of altering and amending
the Law regulating the different District Courts.

The House accordingly resolved itself into the said Committee.

Mr. *Taché*, took the chair of the Committee, and after some time
spent therein,

Mr. Speaker resumed the chair,

Resolution reported.

And Mr. *Taché*, reported that the Committee had come to a Resolu-
tion, which Resolution was again read at the Clerk's Table, and agreed to
by the House, and is as followeth:—

Resolution.

Resolved—That it is expedient to alter, improve and amend, the Laws
now in force, establishing the several District Courts in this Province.

Ordered—That Sir *Allan MacNab*, have leave to bring in a Bill to alter, improve, and amend, the Laws now in force, establishing the several District Courts in this Province, he accordingly presented the said Bill to the House, and the same was received and read for the first time.

Bill to amend District Courts Acts.

Mr. *Aylwin* moved, seconded by Mr. *Cartwright*,

That the Commission appointed to take evidence in the matter of the contested election of *George Duggan*, Esquire, for the 2nd Riding of the County of *York*, be authorized to sit at *Streetsville*, to examine the witnesses of the sitting Member for the said 2nd Riding of the County of *York*; and that *Joseph C. Morrison*, Esquire, be the Chairman of the said Commission.

Motion for commission on Election for 2nd Riding York, to sit at Streetsville.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down, as followeth :—

YEAS.

<i>Aylwin,</i>	<i>Cook,</i>	<i>McNab, Sir A. N.</i>	<i>Thorburn,</i>
<i>Barnet,</i>	<i>Day, Hon. C. D.</i>	<i>McLean,</i>	<i>Turcotte,</i>
<i>Cartwright,</i>	<i>Draper, Hon. W. H.</i>	<i>Moore,</i>	<i>Watts,</i>
<i>Chesley,</i>	<i>Foster,</i>	<i>Smith, (Front.)</i>	<i>Yule.—19.</i>
<i>Child,</i>	<i>Johnston,</i>	<i>Steele.</i>	

NOES.

<i>Baldwin,</i>	<i>Gilchrist,</i>	<i>Neilson,</i>	<i>Simpson,</i>
<i>Buchanan,</i>	<i>Hincks,</i>	<i>Parent,</i>	<i>Small,</i>
<i>Cameron,</i>	<i>Holmes,</i>	<i>Parke,</i>	<i>Smith, (Went.)</i>
<i>Derbshire,</i>	<i>Kimber,</i>	<i>Powell,</i>	<i>Taché,</i>
<i>Dunlop,</i>	<i>Morin,</i>	<i>Price,</i>	<i>Thompson,</i>
<i>Durand,</i>	<i>Morris,</i>	<i>Roblin,</i>	<i>Viger, Hon. D. B.</i>
			(24).

So it passed in the the Negative.

Motion lost.

The Honourable Mr. Solicitor General *Day*, one of Her Majesty's Executive Council, delivered to Mr. Speaker a Message from His Excellency, the Governor General, signed by His Excellency.

Message from His Excellency.

And the said message was read by Mr. Speaker; all the Members of the House being uncovered, and is as followeth :—

SYDENHAM,

The Governor General recommends to the House of Assembly that provision be made for the establishment and maintenance of common Schools throughout the Province.

Message recommending provision for Common Schools.

Kingston, 8th September, 1841.

Mr. Speaker communicated to the House the following letter :

CHIEF SECRETARY'S OFFICE, 9TH SEPTEMBER, 1841.

SIR,

I am commanded, by the Governor General, to inform you, that it is His Excellency's intention, should the state of Public business allow it, to prorogue the Provincial Legislature, on *Wednesday* next, the 15th instant.

Letter from Chief Secretary fixing prorogation for Wednesday

I have the honour to be,

Sir,

Your most obedient humble servant,

T. W. C. MURDOCH,

Chief Secretary

The Honourable the Speaker }
of the House of Assembly, }
&c., &c., &c. }

Chairman on Com on
Timber Inspection
Bill reports amend-
ments to Bill.

Mr. *Williams*, from the Committee of the whole House on the Bill to regulate the inspection and measurement of timber, masts, spars, deals, staves, and other articles of a like nature, in the Ports of *Quebec* and *Montreal*, and for other purposes relative to the same, reported, according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Further amendment
to the Bill moved

Mr. *Black* moved, seconded by Mr. *Neilson*,

That the following amendment be made to the said Bill :—

PREAMBLE.

In the eleventh line—After the word “ same,” insert “ and to establish the principle of voluntary inspection and measurement, with regard to such articles, as it has been adopted with regard to the other articles subject to inspection in this Province.”

Amendment lost.

The question having been put upon the said motion, a division ensued, and it passed in the Negative.

Further amendment
moved.

Mr. *Black* moved, seconded by Mr. *Neilson*,

That the following amendment be made to the said Bill :—

First Clause,

In the fourteenth line—After the word “ described” insert “ when such culling, measuring and examination, or any of them, shall be demanded by any party interested.”

Lost

The question having been put upon the said motion, a division ensued, and it passed in the Negative.

Further amendment
moved

Mr. *Black* moved, seconded by Mr. *Burnet*,

That the following amendment be made to the said Bill :—

Thirteenth Clause,

In the last line—After the word “ specification,” insert “ by the person who shall have applied to him to examine the same ; but in the case of any article sold, subject to examination, such rates shall, if paid by the buyer, be recoverable from the seller, unless the contrary shall have been stipulated at the time of the agreement, to submit to such examination, and any such agreement shall imply a warrantee that the lumber to which it relates is of the quality for which it is sold, according to the description herein given of such quality ; and that all the other requirements of this Act relative to Lumber of each quality have been complied with in respect of the same.”

Lost

The question being put on the said motion, a division ensued, and it passed in the Negative.

Further amendment
moved.

Mr. *Black* moved, seconded by Mr. *Neilson*,

That the following Proviso, in the twenty first Clause, be struck out :
“ Provided always, that timber re-dressed, whereby the first measurement and dimensions shall necessarily become altered, may be measured according to the provisions of this Acts by a shipping Culler.”

Amendment lost

The question having been put upon the said motion, a division ensued, and it passed in the Negative.

Order added.

On motion of Mr. *Aylwin*, seconded by Mr. *Johnston*,

Ordered—That the following Clause be added to the said Bill, and do follow the twenty ninth Clause :—

“ Be it further enacted and provided, that no Supervisor of Cullers shall be eligible to sit as a member of the Legislative Assembly of this Province.”

Bill to be engrossed.

Ordered—That the said Bill, as amended, be engrossed.

Usury Bill (Legisla-
tive Council) read 2nd
time

An engrossed Bill from the Legislative Council, intituled “ *An Act to amend the Usury Laws.*” was according to order, read a second time.

Mr. Price moved, seconded by Mr. Neilson,
That the further consideration of the said Bill be postponed until this day three months.

Motion to defer consideration of Bill 3 months.

The Honourable Mr. Harrison moved, in amendment, seconded by the Honourable Mr. Daly,

Amendment moved, to refer Bill to Com. of whole on Tuesday.

That all the words after "That," in the said motion, be struck out, and the following substituted: "the said Bill be referred to a Committee of the whole House on Tuesday next.

The question having been put upon the motion of amendment, a division ensued, and the names being called for, they were taken down as follows:—

YEAS.

Black,	Dunlop,	Merritt,	Sherwood,
Buchanan,	Dunn, Hon. J. H.	Morris,	Steele,
Cameron,	Dunscomb,	Ogden, Hon. C. R.	Thompson,
Child,	Foster,	Parke,	Watts,
Daly, Hon. D.	Gilchrist,	Robertson,	Williams,
Day, Hon. C. D.	Harrison, Hon. S. B.	Simpson,	Woods,
Derbshire,	Hincks,	Small,	Yule.—31.
Draper, Hon. W. H.	Holmes.	Smith, (Fron.)	

NOES.

Aylwin,	Cook,	McDonald, (Pres.)	Price,
Baldwin,	DuRand,	McDonald, (Glen.)	Roblin,
Barnet,	Hopkins,	McLean,	Smith, (Went.)
Carterwright,	Johnston,	Morin,	Thorburn,
Chesley,	Kimber,	Neilson,	Turcotte,
Christie,	McNab, Sir A. N.	Powell,	Viger, Hon. D. B.
			(24).

So it was carried in the Affirmative.

Amendment carried.

The question being then put on the main motion as amended, a division ensued thereon.

Yeas, 31.

Noes, 24.

And the names being called for, they were taken down as in the last preceding division.

Main motion, as amended, carried.

So it was carried in the Affirmative, and—

Ordered—Accordingly.

A Bill to define the *Westerly* limit of the County of *Norfolk*, was, according to order, read a second time.

Bill to define limit of Norfolk read 2nd time.

Ordered—That the said Bill be engrossed.

Bill to be engrossed.

The Order of the day for the House in Committee on the Bill to provide for the more easy and expeditious administration of Justice in civil causes, and matters involving small pecuniary value, in that part of this Province heretofore *Lower Canada*, being read,

House in Com. on Bill for collection of small debts in Canada E.

The House accordingly resolved itself into the said Committee.

Mr. Chesley, took the chair of the Committee and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Chesley, reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Bill reported amended.

Ordered—That the Report be received to-morrow.

Message from His Excellency

The Honourable *S. B. Harrison*, one of Her Majesty's Executive Council, delivered to Mr. Speaker two messages, from His Excellency, the Governor General, signed by His Excellency.

And the said Messages were read by Mr. Speaker, all the Members of the House being uncovered, and are as followeth :—

SYDENHAM,

Message recommending appropriation for Hamilton and Port Dover road.

The Governor General, considering the advantage which the formation of a line of Road from *Hamilton* to *Port Dover* would afford to the Public, recommends to the House of Assembly to take into consideration the propriety of making an appropriation of £20,000 for that purpose.

Kingston, 9th September, 1841.

SYDENHAM,

Message recommending appropriation for Ottawa and St. Lawrence road.

The Governor General, considering that the completion of the Military Road from the *Ottawa*, near *L'Orignal*, to the *St. Lawrence*, is likely to be of great public advantage, recommends to the House of Assembly to take into consideration the propriety of making an appropriation of £1,500 towards that purpose.

Government House, Kingston, 9th September, 1841.

House in Com. of supply on Message and Report on Civil Estimates.

The Order of the day for the House in Committee of supply, to take into consideration the Message of His Excellency, the Governor General, relating to the estimates for the year ending 31st *December*, 1841 ; and on the Report of the Select Committee to which was referred so much of the Message of His Excellency, the Governor General, as relates to the said estimates, together with the Documents connected therewith, being read, The House accordingly resolved itself into the said Committee.

Mr. *Roblin*, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Progress reported

And Mr. *Roblin*, reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered—That the said Committee have leave to sit again at the next sitting of the House.

Message from Leg Council.

A Message from the Legislative Council, by *John Codfrey Spragge*, Esquire, Master in Chancery.

MR. SPEAKER,

Bills passed L. Council.

The Legislative Council have passed the following Bills, without any amendment :—

Bill to extend Penitentiary system to Canada E.

“ *An Act to render the Penitentiary erected near Kingston, in the Midland District, the Provincial Penitentiary for Canada,*”

Bill to compel candidates to declare their qualification.

“ *An Act to compel all Candidates at any future Elections for Members of the Legislative Assembly, to make and subscribe detailed declarations of the Property by them possessed, and under which they qualify.*”

And also,

Bill to amend law respecting injuries to property sent down amended.

The Legislative Council have passed the Bill intituled “ *An Act for consolidating and amending the Laws in this Province relative to malicious injuries to property,*” with several amendments, to which they desire the concurrence of the Assembly.

And then he withdrew

At 5 o'clock, Mr. Speaker declared the House adjourned until 7 o'clock, P. M.

Jovis, 9^o die Septembris ;

7 o'clock, P. M.

The Order of the day for the House in Committee of supply, to take into consideration the Message of His Excellency, the Governor General, relating to the Estimates for the year ending 31st *December*, 1841; and on the Report of the Select Committee to which was referred so much of the Message of His Excellency, the Governor General, as relates to the said Estimates, together with the documents connected therewith, being read,

House in Com. on supply and on Report and Message on Civil Estimates.

The House accordingly resolved itself into the said Committee.

Mr. *Roblin* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Roblin* reported, that the Committee had come to several Resolutions, which he was directed to submit to the House whenever it shall be pleased to receive the same.

Resolutions reported.

Ordered—That the Report be received to-morrow.

On motion of Mr. *Williams*, seconded by Mr. *Price*,

Ordered—That the Orders of the day, that have not been disposed of, be postponed until to-morrow, and that they be then the first Orders of the day.

Remaining postponed. Orders

Then, on motion of Mr. *Price*, seconded by Mr. *Morris*,
The House adjourned.

Veneris, 10^o die Septembris ;

Anno 5^o *Victoriæ Reginae*, 1841.

The following Petitions were severally brought up, and laid on the Table :—

Petitions brought up.

By Mr. *Cameron*—The Petition of the Reverend *John Machar*, and the Elders and Congregation of *Saint Andrew's Church, Kingston*.

Rev. J. Machar and others.

By Mr. *Dunlop*—The Petition of *Maria McCrea*.

Maria McCrea.

By Mr. *Thompson*—The Petition of *William McClellan*, and others, Inhabitants of the Township of *Thorold*.

W. McClellan and others.

By the Honourable Mr. *Dunn*—The Petition of *William Leslie*, and others, Inhabitants of *Streetville*, and its neighbourhood.

W. Leslie and others.

By Mr. *Baldwin*—The Petition of *J. S. Dunbar Modie*, and others, Inhabitants of the Town of *Belleville*, and its vicinity ;—and the Petition of *James Murray*, and others, Inhabitants of the Town of *Belleville*, and its vicinity.

J. S. D. Moodie and others.

J. Murray & others.

By Mr. *Holmes*—The Petition of *William Moore*, of the City of *Montreal*, Inspector of Beef and Pork.

W. Moore.

By Mr. *Parke*—The Petition of the very Reverend Archdeacon *Stuart*, and others, Inhabitants of the Town of *Kingston*.

Archdeacon Stuart and others.

An engrossed Bill to define the *Westerly* limit of the County of *Norfolk*, was read for the third time.

Bill to define limit of Norfolk, passed.

Resolved—That the Bill do pass.

Ordered—That Mr. *Powell*, do carry the said Bill to the Legislative Council, and desire their concurrence.

An engrossed Bill to extend the time limited by Law for the construction and completion of the *Port Dover* Harbour, was read for the third time.

Bill to extend time for completion P. Dover Harbour, passed.

Resolved—That the Bill do pass.

Ordered—That Mr. *Powell*, do carry the said Bill to the Legislative Council, and desire their concurrence.

Bill to appoint additional Commissioners on late Bank at Kingston, passed

An engrossed Bill to appoint additional Commissioners to settle the affairs of the late pretended Bank of *Upper Canada*, at *Kingston*, was read for the third time.

Resolved—That the Bill do pass.

Ordered—That Mr. *Price*, do carry the said Bill to the Legislative Council, and desire their concurrence.

Petitions read.

Of A. Gardiner and others.

Pursuant to the Order of the day the following Petitions were read :

Of *A. Gardiner*, and others, Inhabitants of the Townships of *Nichol* and *Garrafraca*, County of *Waterloo*, and District of *Wellington*; praying that the Legislative Assembly will adopt such measures for the encouragement of Grammar Schools, in this Province, as shall command the confidence of all classes of the Community.

Of J. Chep and others

Of *James Chep*, and others, Inhabitants of *West Flamborough* and *Ancaster*, in the District of *Gore*, praying that the Legislative Assembly will adopt such measures for the encouragement of Grammar Schools, in this Province, as shall command the confidence of all classes of the community.

Of S. Lelièvre

Of *Simeon Lelièvre*, of the City of *Quebec*, praying that his salary, as Interpreter to the Court of King's Bench, may be increased.

Of A. Jobin.

Of *André Jobin*, of *St. Genevieve*, in the District of *Montreal*, Notary, praying that he may be paid his fees as one of the Commissioners for taking evidence on the contested election of *Olivier Berthelot*, Esquire, in 1833.

Petition of A. Jobin referred to Com. on contingencies

Ordered—That the Petition of *André Jobin*, of *St. Genevieve*, in the District of *Montreal*, Notary, be referred to the Special Committee on the contingent accounts and expenses of the present Session.

Com. on Expiring Laws report.

Mr. Solicitor General *Day*, from the Select Committee appointed to inquire what Statutes and Ordinances, now in force in this Province, or in any part thereof, are about to expire, and ought to be continued, presented to the House the report of the said Committee, which was again read at the Clerk's Table, and is as followeth :—

Report.

Your Committee, in compliance with the instructions of Your Honourable House, have carefully examined the Statute Books of each of the late Provinces of *Upper* and *Lower Canada*, and find that the following Laws are about to expire :

An Ordinance of the Special Council for the late Province of *Lower Canada*, passed at the last Session thereof, and intituled " *An Ordinance to facilitate the despatch of the business now before the Court of King's Bench for the District of Montreal* " will expire on the 31st day of *December* next.

An Act of the Parliament of the late Province of *Upper Canada*, passed in the *first* Session of the *thirteenth* Parliament, and intituled " *An Act to repeal and amend certain Acts of this Province in relation to the Gold and Silver Coin made current by Law, and to make further provision respecting the rates at which Gold and Silver Coins shall pass current in this Province,* " will expire at the end of the present Session of Parliament.

An Act passed in the *second* Session of the *twelfth* Parliament of the same Province, and intituled " *An Act to repeal an Act passed in the forty ninth year of the Reign of His late Majesty King GEORGE the third intituled " An Act to encourage the destroying of Wolves in this Province and to make further provision for exterminating those destructive animals,* " will expire at the end of the present Session of Parliament.

An Act passed in the *first* Session of the same Parliament, and intituled " *An Act to establish Agricultural Societies and to encourage Agriculture in the several Districts of this Province* " will expire at the end of the present Session of Parliament.

An Act passed in the *second* Session of the *tenth* Parliament of the same Province, and intituled “*An Act to authorize the Quarter Sessions of the Home District to provide for the relief of insane destitute persons in that District,*” and also An Act passed in the *third* Session of the *eleventh* Parliament, intituled “*An Act to continue an Act passed in the Eleventh year of His late Majesty’s Reign, intituled ‘An Act to authorize the Quarter Sessions of the Home District to provide for the relief of insane destitute persons in that District, and to extend the provisions of the same to the other Districts of this Province,’*”—will expire at the end of the present Session.

Ordered—That the said report be now referred to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

House in Com. on above Report.

Mr. Parke took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Parke reported that the Committee had come to a Resolution, which Resolution was again read at the Clerk’s table, and agreed to by the House, and is as followeth :

Resolution reported.

Resolved—That it is expedient to continue an Act passed in the *twelfth* Parliament of the late Province of *Upper Canada*, intituled “*An Act to repeal an Act passed in the forty ninth year of the Reign of His late Majesty King GEORGE the third, intituled ‘An Act to encourage the destroying of Wolves in this Province’—and to make further provision for the exterminating those destructive animals.*”

Resolution.

Ordered—That Mr. Solicitor General Day have leave to bring in a Bill to continue, for a limited time, a certain Act therein mentioned.

Bill to continue Wolf Bounty Act brought in.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time,

Ordered—That the said Bill be read a second time to-morrow.

Mr. Bluck, from the Select Committee to which was referred the Petition of *Simeon Lelièvre*, of the City of *Quebec*, presented to the House the Report of the said Committee, which was again read at the Clerk’s table, and is as followeth :

Com. on Petition of S. Lelièvre, report.

“The Petitioner is the Interpreter to the Court of Criminal Jurisdiction for the District of *Quebec*, an Office which he has held since the 3rd July 1835.

Report.

The use of the two languages *French* and *English*, in the District of *Quebec*, renders it necessary that the Courts should be provided with a Translator, and the importance of the Office can only be appreciated by those who have attended these Courts.

Your Committee are convinced that the Petitioner is a deserving Officer, and that he possesses all the qualifications for the correct discharge of a duty, which requires a thorough knowledge of the two languages, and readiness and quickness in expressing, in the one, what has been spoken in the other.

Your Committee have ascertained that the Petitioner is bound to attend at two terms of the Court of King’s Bench, and four terms of the Quarter Sessions, in every year, and that the labour of this attendance is severe.

The Salary allotted to the Office held by the Petitioner is Forty Pounds sterling, and has been so since the creation of the Office: and your Committee has felt surprise that notwithstanding the increase in the salaries of almost all the Public Servants in the late Province of *Lower Canada*, since the conquest, and the difficult and laborious nature of the

duty of the Translator, that Officer has received a salary so inadequate, and so disproportionate to the emoluments of all the other Officers of the Courts, as well as of the Officers of the Government generally.

Your Committee have to express their regret, that notwithstanding the justice of the Petitioner's claim, it is out of their power to do more than to acknowledge it, it being necessary that the Petitioner should procure the recommendation and sanction of the Executive Government, before your Honourable House can extend to him any relief, and your Committee cannot do more, at this time, than to record their opinion that the salary of the Petitioner should be increased to £120 sterling.

Message from Legislative Council

A Message from the Legislative Council, by *John Godfrey Spragge*, Esquire, Master in Chancery.

MR. SPEAKER,

Bill to repeal Ordinance requiring a pass, passed L. Coun.

The Legislative Council have passed the Bill intituled "*An Act to repeal an Ordinance passed by the Governor and Council of Quebec in the seventeenth year of the Reign of His Majesty King GEORGE the Third, for preventing persons leaving the Province without a pass,*" without any amendment.

And, also,

Amendments of Assembly to amendments of L. Coun to Magdalen Islands Justice Bill agreed to.

The Legislative Council have agreed to the amendments sent up by the Assembly, to the amendments made by the Legislative Council to the Bill intituled "*An Act to provide temporarily for the administration of Justice in the Magdalen Islands in the Gulf of Saint Lawrence.*"

And, also,

Bill respecting offences against the person sent down amended.

The Legislative Council have passed the Bill intituled "*An Act for consolidating and amending the Statutes in this Province relative to offences against the person,*" with several amendments, to which they desire the concurrence of the Assembly.

And then he withdrew.

Com. on Contingencies present 3rd report, on remuneration of late Speaker of Upper Canada Assembly, on Petition of A. Todd & T. Patrick, P. A. Weibrenner, A. Jobin, Alpheus Todd, R. Desfrés and others, and M. McCarty, and on Report on Petition of E. Parent.

Mr. *Thorburn*, from the Special Committee on the contingent accounts, and other expenses of the present Session, with power to report from time to time, presented to the House the third Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

Report.

Your Committee have considered the Resolution referred to them by Your Honourable House, respecting the remuneration of the Speaker of the late House of Assembly of *Upper Canada*, and find that he received no pay beyond the 30th *June*, 1840, in consequence, Your Committee suppose, of the expiration of the term of the Parliament—though he still continued to perform the duties imposed upon him by the 16th standing order of that House; therefore, as the salaries of the other officers of the Legislature of *Upper Canada* have been allowed up to the commencement of the present Session, Your Committee have prepared a blank Resolution, for the consideration of your Honourable House, for such remuneration to the late Speaker, as may be deemed fit and proper.

With reference to the Petition of *Alfred Todd* and *Thaddeus Patrick*, your Committee find that they were employed as Clerks in the office of the late Clerk of Assembly of *Upper Canada*, being paid at a rate which has produced to them, for several years past, an annual salary averaging £200; but that last year, in consequence of their being no Session of the Legislature, their receipts fell far short of that amount; your Committee therefore beg to recommend, that as the Union of the Provinces has been the means, unavoidably, of depriving these individuals of their permanent

standing in the office, and a similar allowance having been already made by your Honourable House to another of the Clerks under the same circumstances, the amount of the above deficiency for the last year may be made good to them—and submit, herewith, a blank Resolution for that purpose. Report.

The Petition of *P. A. Weillbrenner*, claiming the sum of £27 9s., as remuneration for acting as Clerk in taking evidence relative to the election of *Oliver Berthelot*, Esquire, as a member of the Assembly of *Lower Canada*, for the *East Ward* of the City of *Montreal* in 1833 and 1834, and making copies of the same, has been also considered; the claim has already been recognized by the Assembly of that Province, and your Committee consider that he is justly entitled to the amount, and have therefore prepared a Resolution in his favour.

Your Committee have considered the Petition of *André Jobin*, and ascertain that an account is due him of £32 5s. for his services as a Commissioner for taking evidence in the same case; the said sum was awarded to him by a Resolution of the House of Assembly of *Lower Canada*, on the 26th *February*, 1836, but was never paid, on account of the general supply Bill, in which it was included, not having passed into a Law—your Committee therefore report a Resolution in his favour.

With reference to the Petition of *Alpheus Todd*, praying remuneration for a work compiled by him, intituled “The Practice and Privileges of the two Houses of Parliament;” your Committee have ascertained that the said work was printed by order of the late House of Assembly of *Upper Canada*, for the use of the Legislature, with an understanding that the Petitioner should be allowed such sum therefor, at the next Session, as, upon a due examination of the work, might be considered sufficient to remunerate him for his labour and research. The amount claimed by the Petitioner is £200, the work having occupied him, with very close application, for upwards of a twelvemonth. Your Committee, conceiving that your Honourable House are sufficiently acquainted with the work to be able to decide on its merits, have prepared a blank Resolution, to be filled in with such sum as may be deemed adequate to the importance of the work.

The Report of the Select Committee on the Petition of *E. Parent*, Esquire, has been carefully considered by your Committee; they find the facts of the case to be as follows: Mr. *Parent* was appointed by the House of Assembly of the late Province of *Lower Canada*, as Law Clerk to that body, on the 13th *November*, 1835, at a salary of £200 per annum; but, owing to some misunderstanding on the part of the Executive Government, he has never received any portion of his salary, though he has performed the duties of his office. Your Committee therefore recommend that a Resolution do pass, granting him his full salary, at the rate of £200 per annum, till the suspension of the constitution of *Lower Canada*, on 30th *March*, 1838; and one moiety of his salary (the proportion allowed during that time to the other officers of the Legislature) being at the rate of £100 per annum, from that period to the day of his election as a member of your Honourable House, with such further remuneration on account of his salary having been so long withheld from him, as to your Honourable House may seem meet.

With regard to the Petitions of *Robert Defries*, and others, and *Michael McCarthy*, Messengers to the late House of Assembly of *Upper Canada*, praying to be allowed the sum of £20 each on account of their having been no Session of Parliament last year, your Committee cannot consider them as entitled to that amount, but in consideration of the circumstances of the case, recommend that they be allowed the sum of £10 each to satisfy all demands, of every description, up to the commencement of the present Session.

3rd Report of Contingent Committee.

Your Committee have also examined the following accounts, owing by the late House of Assembly of *Upper Canada*, and finding them to be correct and just, therefore recommend them for immediate payment, and have prepared a Resolution to include them, viz :—

<i>R. Brewer</i> , his account for extra binding 5th Session, 13th Parliament.....	£28	6	8
Librarian to the Assembly of <i>Upper Canada</i> , his Salary from 7th <i>November</i> , 1840, to 14th <i>June</i> , 1841, ditto, £75 per annum.....	45	0	0
Deputy Librarian, do. his Salary from do. to do. £25.....	15	0	0
<i>King Barton</i> , his Salary as Chamber Messenger, from do. to do. at £30.....	18	0	0
<i>Hugh Scobie</i> , advertising missing Books from the Library.....	12	6	
<i>Henry Hamilton</i> , 12 Cords of Wood.....	7	10	0
<i>Simon Wiggins</i>	5	14	6
	£120	3	8

Your Committee believe that these accounts are all that now remain due, on account of the Houses of Assembly of either of the late Provinces of *Upper* and *Lower Canada*.

Report referred to Com of whole to-morrow

Ordered—That the said Report be referred to a Committee of the whole House to-morrow.

Amendments of Leg. Council to Larceny Bill considered

On motion of Mr. *Black*, seconded by Mr. *Cartwright*, *Ordered*—That the amendments made by the Legislative Council to the Bill intituled “*An Act for consolidating and amending the Laws in this Province relative to Larceny, and other offences connected therewith,*” be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth :—

Amendments

Press 1, Line 15—Leave out all the words after “after” to “Parliament” in the sixteenth line, inclusively, and insert “the first day of January, one thousand eight hundred and forty-two.”

Press 1, Line 33.—Leave out from “transported” to “imprisoned” in the thirty-fourth line, inclusively, and insert “imprisoned at hard labour in the Provincial Penitentiary, for any term not less than seven years, or to be imprisoned in any other prison or place of confinement.”

Press 1, Line 43.—After “Gaol” insert “or.”

Press 1, Line 44.—Leave out “or Penitentiary.”

Press 3, Line 2.—Leave out from “transported” to “years” in the fifth line, inclusively, and insert “imprisoned at hard labour in the Provincial Penitentiary for the term of his natural life, or for any term not less than seven years, or to be imprisoned in any other prison or place of confinement for any term not exceeding two years.”

Press 3, Line 20.—Leave out from “transported” to “years” in the twenty-third line, inclusively, and insert “imprisoned at hard labour in the Provincial Penitentiary for the term of his natural life, or for any term not less than seven years, or to be imprisoned in any other place of confinement for any term not exceeding two years.”

Press 3, Line 27,—Leave out from “transported” to “years” in the 30th line, inclusively, and insert “imprisoned at hard labour in the Provincial Penitentiary, for any term not exceeding fourteen years, nor less than seven years, or to be imprisoned in any prison or place of confinement for any term not exceeding two years.”

Press 4 Line 11.—Leave out from “transported” to “years” in the thirteenth line, inclusively, and insert “imprisoned at hard labour in the Provincial Penitentiary for any term not less than seven years, or to be imprisoned in any other prison or place of confinement for any term not exceeding two years.”

Amendments of Leg.
Council to Larceny
Bill.

Press 4 Line 19.—Leave out from “transported” to “years” in the twenty-second line, and insert “imprisoned at hard labour at the Provincial Penitentiary for any term not less than seven years, or to be imprisoned in any other prison or place of confinement for any term not exceeding two years.”

Press 4, Line 31.—Leave out from “transported” to “years” in the thirty-third line, and insert “imprisoned at hard labour in the Provincial Penitentiary for the term of his natural life, or for any term not less than seven years, or to be imprisoned in any other prison or place of confinement for any term not exceeding two years.”

Press 5, Line 4.—Leave out from “transported” to “years” in the seventh line, inclusively, and insert “imprisoned at hard labour in the Provincial Penitentiary for any term not exceeding fourteen years, nor less than seven years, or to be imprisoned in any other prison or place of confinement for any term not exceeding two years.”

Press 5, Line 27.—Leave out from “transported” to “years” in the thirtieth line, inclusively, and insert “imprisoned at hard labour in the Provincial Penitentiary for any term not exceeding fourteen years, nor less than seven years, or to be imprisoned in any other prison or place of confinement for any term not exceeding two years.”

Press 6, Line 6.—Leave out from “transported” to “years” in the ninth line inclusively, and insert “imprisoned at hard labour in the Provincial Penitentiary for any term not exceeding fourteen years, nor less than seven years, or to be imprisoned in any other prison or place of confinement for any term not exceeding two years.”

Press 7, Lines 7 & 8.—Leave out “record” and insert “justice.”

Press 7, Line 17.—Leave out from “transported” to “years” in the eighteenth line, inclusively, and insert “imprisoned at hard labour in the Provincial Penitentiary for any term not exceeding fourteen years, nor less than seven years, or to be imprisoned in any other prison or place of confinement for any term not exceeding two years.”

Press 8, Line 30.—Leave out from “transported” to “years” in the thirty-second line, inclusively, and insert “imprisoned at hard labour in the Provincial Penitentiary for any term not exceeding fourteen years, nor less than seven years, or to be imprisoned in any other prison or place of confinement for any term not exceeding two years.”

Press 11, Line 4.—Leave out from “transported” to “years” in the sixth line, and insert “imprisoned at hard labour in the Provincial Penitentiary, for any term not exceeding fourteen years, nor less than seven years, or to be imprisoned in any other prison or place of confinement for any term not exceeding two years.”

Press 12, Line 10.—Leave out from “transported” to the words “seven years,” inclusively, in the eleventh line, and insert “imprisoned at hard labour in the Provincial Penitentiary, for any term not less than seven years, or imprisoned in any other prison or place of confinement for any term not exceeding two years.”

Press 13, Line 15.—Leave out from “transported” to the words “seven years” inclusively, in the sixteenth line, and insert “imprisoned at hard labour in the Provincial Penitentiary for any term not less than seven years, or imprisoned in any other prison or place of confinement for any term not exceeding two years.”

Press 14, Line 9—Leave out from “transported” to the words “seven years” inclusively, in the tenth line, and insert “imprisoned at hard labour in the Provincial Penitentiary, for any term not exceeding fourteen years, nor less than seven years, or imprisoned in any other prison or place of confinement for any term not exceeding two years.”

Press 14, Line 36—Leave out from “transported” to “years” in the thirty-ninth line, inclusively, and insert “imprisoned at hard labour in the Provincial Penitentiary, for any term not exceeding fourteen years, nor less than seven years, or imprisoned in any other prison or place of confinement for any term not exceeding two years.”

Press 15, Line 11—Leave out from “transported” to “imprisoned” in the twelfth line, inclusively, and insert, “imprisoned at hard labour in the Provincial Penitentiary for any term not less than seven years, or to be imprisoned in any other prison or place of confinement.”

Press 16, Line 22—Leave out from “transported” to “years” in the twenty-fourth line, inclusively, and insert “imprisoned at hard labour in the Provincial Penitentiary, for any term not less than seven years, or to be imprisoned in any other prison or place of confinement for any term not exceeding two years.

Amendments agreed to.

And the said amendments being again read, they were agreed to by the House.

Ordered—That Mr. *Black*, do carry back the said Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their amendments.

Amendments of Leg. Council respecting malicious injuries to property considered.

On motion of Mr. *Black*, seconded by Mr. *Cartwright*,

Ordered—That the amendments made by the Legislative Council to the Bill intituled “*An Act for consolidating and amending the Laws in this Province relative to malicious injuries to property*,” be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:—

Amendments

Press 1, Line 10—Leave out all the words after “after” to “Parliament” in the 11th line, inclusively, and insert the first day of *January*, one thousand and eight hundred and forty two.”

Press 1, Line 24—Leave out from “transported” to “years” in the 26th line, inclusively, and insert “imprisoned at hard labour in the Provincial Penitentiary for the term of his natural life, or for any term not less than seven years, or to be imprisoned in any other prison or place of confinement for any term not exceeding two years.”

Press 1, Line 43—Leave out from transported to “imprisoned” in the 44th line, inclusively, and insert “imprisoned at hard labour in the Provincial Penitentiary for any term not less than seven years, or to be imprisoned in any other prison or place of confinement.”

Press 2, Line 1—Leave out “four” and insert “two.”

Press 2, Line 11—Leave out from “transported” in the 12th line, inclusively, and insert “imprisoned at hard labour in the Provincial Penitentiary, for any term not less than seven years, or in any other prison or place of confinement.”

Press 2, Line 24—Leave out from “transported” to “years” in the 26th line, inclusively, and insert “imprisoned at hard labour in the Provincial Penitentiary for the term of his natural life, or for any term not less than seven years, or to be imprisoned in any other prison or place of confinement for any term not exceeding two years.”

Press 2, Line 46—Leave out from transported to “years” in the 2nd. line, Press 3, inclusively, and insert “imprisoned at hard labour in

the Provincial Penitentiary for the term of his natural life, or for any term not less than seven years, or to be imprisoned in any other prison or place of confinement for any term not exceeding two years."

Amendments of Leg. Council to Bill respecting malicious injuries to property.

Press 3, Line 16—Leave out from "transported" to "years" in the tenth line, inclusively, and insert "imprisoned at hard labour in the Provincial Penitentiary for the term of his natural life, or for any term not less than seven years, or to be imprisoned in any other prison or place of confinement for any term not exceeding two years."

Press 3, Line 8—Leave out from "transported" to "years" in the 18th line, inclusively, and insert "imprisoned at hard labour in the Provincial Penitentiary, for any term not less than seven years, or to be imprisoned in any other prison or place of confinement for any term not exceeding two years."

Press 4, Line 21—Leave out from "transported" to "years" in the 23d line, inclusively, and insert "imprisoned at hard labour in the Provincial Penitentiary for any term not less than seven years, or to be imprisoned in any other prison or place of confinement for any term not exceeding two years."

Press 4, Line 28—Leave out from "transported" to "years" in the 30th line, inclusively, and insert "imprisoned at hard labour in the Provincial Penitentiary, for the term of his natural life, or for any term not less than seven years, or to be imprisoned in any other prison or place of confinement for any term not exceeding two years."

Press 6, Line 45—After "Gaol," insert "or."

Press 6, Line 46—Leave out "or Penitentiary."

And the said amendments being again read, they were agreed to by the House.

Amendments agreed to.

Ordered—That Mr. *Black* do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

On motion of Mr. *Black*, seconded by Mr. *Cartwright*,

Ordered—That the amendments made by the Legislative Council to the Bill intituled "*An Act for consolidating and amending the Statutes in this Province relative to offences against the person,*" be now taken into consideration.

Amendments of Leg. Coun. to Bill respecting offences against the person, considered.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:—

Press 1, Line 13—Leave out the words after "after" to "Parliament," in the 14th line, inclusively, and insert "the first day of *January*, one thousand eight hundred and forty two."

Amendments.

Press 1, Line 26—Leave out from "transported" to "years" in the 28th line, inclusively, and insert "imprisoned at hard labour in the Provincial Penitentiary, for the term of his natural life, or for any term not less than seven years, or to be imprisoned in any other prison or place of confinement for any term not exceeding two years."

Press 2, Line 30—Leave out from "transported" to "years," in the 32d line, inclusively, and insert "imprisoned at hard labour in the Provincial Penitentiary for the term of his natural life, or for any term not less than seven years, or to be imprisoned in any other prison or place of confinement for any term not exceeding two years."

Press 3, Line 15—Leave out from "transported" to "years," in the 18th line, and insert "imprisoned at hard labour in the Provincial Penitentiary for the term of his natural life, or for any term not less than seven years, or to be imprisoned in any other prison or place of confinement for any term not exceeding two years."

Amendments of Leg.
Council to Bill res-
pecting offences
against the person.

Press 3, Line 30—Leave out from “transported” to “years,” in the 33d line, inclusively, and insert “imprisoned at hard labour in the Provincial Penitentiary for the term of his natural life, or for any term not less than seven years, or to be imprisoned in any other prison or place of confinement for any term not exceeding two years.”

Press 4, Line 6—Leave out from “transported” to “years,” in the 9th line, inclusively, and insert “imprisoned at hard labour in the Provincial Penitentiary for the term of his natural life, or for any term not less than seven years, or to be imprisoned in any other prison or place of confinement for any term not exceeding two years.”

Press 4, Line 17—Leave out from “transported” to “years,” in the 20th line, inclusively, and insert “imprisoned at hard labour in the Provincial Penitentiary for the term of his natural life, or for any term not less than seven years, or to be imprisoned in any other prison or place of confinement for any term not exceeding two years.”

Press 5, Line 38—Leave out from “transported” to “years” in the 41st line, inclusively, and insert “imprisoned at hard labour in the Provincial Penitentiary, for any term not less than seven years, or to be imprisoned in any other prison or place of confinement for any term not exceeding two years.”

Press 6, Line 24.—Leave out from “transported” to “imprisoned” in the 25th line, inclusively, and insert “imprisoned at hard labour in the Provincial Penitentiary, for any term not less than seven years, or to be imprisoned in any other prison or place of confinement.”

Press 6, Line 41.—Leave out from “transported” to “imprisoned” in the 42nd line, inclusively, and insert “imprisoned at hard labour in the Provincial Penitentiary, for any term not less than seven years, or to be imprisoned in any other prison or place of confinement.”

Press 7, Line 36—Leave out from “transported” in the 39th line, inclusively, and insert “imprisoned at hard labour in the Provincial Penitentiary, for any term not less than seven years, or to be imprisoned in any other prison or place of confinement for any term not exceeding two years.”

Press 8, Line 43—Leave out “two Justices” and insert “any justice.”

Press 9, Line 1.—Leave out “them” and insert “him.”

Press 9, Line 3.—Leave out “them” and insert “him.”

Press 9, Line 5.—Leave out “them” and insert “him.”

Press 9, Line 18—Leave out “Justices” and insert “Justice.”

Press 9, Line 21—Leave out “Justices” and insert “Justice.”

Press 9, Line 22—Leave out “them” and insert “him.”

Press 9, Line 26—Leave out “Justices” and insert “Justice.”

Press 9, Line 32—Leave out “they” and insert “he.”

Press 9, Line 33—Leave out “their” and insert “his.”

Press 9, Line 35 & 36—After “preferred” insert “and if such costs shall not be paid immediately upon dismissal, or within such period as such Justice shall, at the time of such dismissal, appoint, it shall be lawful for him to issue his warrant to levy the amount of such costs, within a certain time to be in the said Warrant expressed, and in case no distress sufficient to satisfy the amount of such warrant shall be found, to commit the party by whom such costs shall be so ordered to be paid, as aforesaid, to the Common Gaol of the District, County, or Division, where such offence shall be alleged to have been committed, there to be imprisoned for any term not exceeding ten days, unless such costs shall be sooner paid”

Press 10, Line 2—After twentw eighth clause, bring in clause.

A.

“ And be it enacted, that when any person shall be summarily convicted before a Justice of the Peace, of any offence against this Act, it shall be lawful for such Justice, if he shall so think fit, to discharge the offender from his conviction, upon his making such satisfaction to the party aggrieved for damages and costs, or either of them, as shall be ascertained by the said Justice.”

Amendments of Leg. Council to Bill respecting offences against the person.

Press 10, Line 4—Leave out “ Justices” and insert “ Justice”

Press 10, Line 7—Leave out “ they” and insert “ he”

Press 10, Line 9—Leave out “ they” and insert. “ he”

Press 10, Line 12—Leave out “ Justices” and insert Justice”

Press 10, Line 17—After the 39th Clause, insert the following clauses :—

B.

“ And be it enacted, That if any person shall wilfully disturb, interrupt, or disquiet, any assemblage of persons met for religious worship, by profane discourse, by rude or indecent behaviour, or by making a noise, either within the place of worship, or so near it as to disturb the order or solemnity of the meeting, such person shall, upon conviction thereof before any Justice of the Peace, on the oath of one or more credible witness or witnesses, forfeit and pay such a sum of money, not exceeding five pounds, as the said Justice shall think fit.

C.

“ And be it enacted, that in default of payment of any fine imposed under the authority of this Act, on a summary conviction before any Justice of the Peace, together with the costs attending the same, within the period specified for the payment thereof at the time of conviction by the Justice before whom such conviction may have taken place, it shall and may be lawful for such Justice to issue his warrant, directed to any Constable, to levy the amount of such fine and costs, within a certain time to be in the said warrant specified ; and in case no distress sufficient to satisfy the amount shall be found, it shall and may be lawful for him to commit the offender to the common Gaol of the District wherein the offence was committed, for any term not exceeding one month, unless the fine and costs shall be sooner paid.

D.

“ And be it enacted, that any person who shall think himself aggrieved by any summary conviction or decision under this Act, as aforesaid, may appeal to the next Court of General or Quarter Sessions, which shall be holden not less than twelve days after the day of such conviction or decision, for the District wherein the cause of complaint shall have arisen ; Provided always that such person shall give to the other party a notice in writing of such appeal, and of the cause and matter thereof, within three days after such conviction or decision, and seven days, at the least, before such Sessions, and shall also either remain in custody until the Sessions, or enter into a recognizance, with two sufficient sureties, before a Justice of the Peace, conditioned personally to appear at the said Sessions, and to try such appeal, and to abide the Judgement of the Court thereupon, and to pay such costs as shall be by the Court awarded ; and upon such notice being given, and such recognizance being entered into, the Justice before whom the same shall be entered into shall liberate such person, if in custody, and the Court at such Sessions shall hear and determine the matter of the appeal, and shall make such order therein, with or without cost to either party, as to the Court shall seem meet, and in case of the dismissal of the appeal, or the affirmance of the conviction,

Amendments of Leg. Council to Bill respecting offences against the person

shall order and adjudge the offender to be punished according to the conviction, and to pay such costs as shall be awarded, and shall if necessary, issue process for enforcing such judgment.

E.

“ And be it enacted, that whenever an appeal shall be made from the decision of any Justice under this Act, as aforesaid, the Court of General or Quarter Sessions shall have power to empanel a Jury, to try the matter on which such decision may have been made, and the Court, on the finding of such Jury, under oath, shall thereupon give such Judgment as the circumstances of the case may require: Provided always that such Court shall not in any case adjudge the payment of a fine exceeding five pounds, in addition to the costs, or order the imprisonment of the person so convicted for any period exceeding one month; and all fines imposed and recovered by the Judgment of such Court, shall be applied and disposed of in the same manner as other fines recovered under the provisions of this Act.”

Press 10, Line 31—After “ Gaol ” insert “ or.”

Press 10, same Line—Leave out “ or Penitentiary.”

Press 10, Line 37—Leave out from “ Provided ” to “ months ” inclusively in the forty first line.

Press 11, Line 14—After the 33d Clause, bring in Clause.

F.

“ And be it enacted, that it shall be lawful for the Queen’s Majesty, and for the Governor, Lieutenant Governor, or person administering the Government of this Province, to extend the Royal mercy to any person imprisoned by virtue of this Act, although he shall be imprisoned for non-payment of money to some party other than the Crown.”

Press 11, Line 20—Leave out from “ before ” to “ Peace,” inclusively, to the 21st. line.

Press 11, Line 24—Leave out “ Justices ” and insert “ Justice.”

Press 11, Line 26—Leave out “ their ” and insert “ his.”

Press 11, Line 27—Leave out “ them ” and insert “ himself, or some other Justice of the Peace.”

Press 11, Line 36—Leave out “ Justices ” and insert “ Justice.”

Press 12, Line 4—Leave out “ us, (naming the Justices) two,” and insert “ me, (naming the Justice) one.”

Press 12, Line 8—Leave out “ we, the said Justices,” and insert “ I, the said Justice.”

Press 12, Line 11—Leave out “ we,” and insert “ I.”

Press 12, Line 17—Leave out “ we,” and insert “ I.”

Press 12, Line 19—Leave out “ we,” and insert “ I.”

Press 12, Line 24—Leave out “ we,” and insert “ I.”

Press 12, Line 26—Leave out “ our hands,” and insert “ my hand.”

And the said amendments being again read they were agreed to by the House.”

Amendments agreed to.

Ordered—That Mr. *Black* do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

Final Report of Com. on Currency & Banking referred to Com. of whole on Midland District Bank stock increase Bill.

On motion of Mr. *Curtwright*, seconded by Mr. *Buchanan*,

Ordered—That the Order of this House of the 27th of *August* last, referring the final Report of the Select Committee on the currency and banking to a Committee of the whole House, be discharged, and that the said Report be referred to a Committee of the whole House on the Bill to increase the Capital Stock of the Commercial Bank of the *Midland* District.

Mr. *Dunlop* moved, seconded by Mr. *Morin*,

That the Order of the day for the House in Committee on the Report of the Special Committee to which was referred the Address passed by the late House of Assembly of *Upper Canada*, in favor of *Anthony Manahan*, Esquire, be now read.

The question having been put upon the said motion, a division ensued, and it passed in the Negative.

On motion of Mr. *Parent*, seconded by Mr. *Neilson*,

Ordered—That the Clerk of this House be instructed to cause a general statement of the business of this House, during the present Session, to be made, and printed, for the use of the members, stating the number of Petitions introduced, and the number of Committees appointed—the titles of all Bills introduced in the House, and of those sent to the Legislative Council, and also of those sent down from the Legislative Council—distinguishing those passed and rejected in either House, as not assented to, or reserved for the signification of Her Majesty's Pleasure, by His Excellency, the Governor General, and those of which amendments in one House have not been concurred in by the other House.

On motion of Mr. *Roblin*, seconded by Mr. *Merritt*.

Resolved—That this House will, to-morrow, resolve itself into a Committee of the whole House, to take into consideration the expediency of repealing an Act of the Legislature of the late Province of *Upper Canada*, passed in the second year of Her Majesty's Reign, intituled "*An Act to provide for the advancement of Education in this Province.*"

Motion for House in Com. on Rep. respecting A. Manahan, Esq.

House to go into Com. to-morrow, on repealing Education Act of U. C.

On motion of Mr. *Quesnel*, seconded by Mr. *Neilson*,

Ordered—That the Resolutions of the Legislative Council, relating to the Library of the Legislative Council of the late Province of *Lower Canada*, together with a moiety of the Books belonging to the Legislature of *Upper Canada*, communicated to this House by message, on the 29th of July last, be referred to a Committee of the whole House to-morrow.

Ordered—That it be an instruction to the said Committee to enquire whether any of the Books belonging to the Library of the Legislature of the late Province of *Lower Canada*, may be left or restored, to be kept in the Legislative Buildings at *Quebec*, without inconvenience to the Public service.

Resolutions of Leg. Council on Library referred to Com. of whole to-morrow.

Instruction to above Committee.

On motion of Mr. *Aylwin*, seconded by Mr. *Neilson*,

Ordered—That 500 Copies of the proceedings of this House, previous to entering into a Committee of supply, be printed, in each of the *English* and *French* languages, for the use of the members of this House.

500 copies of proceedings relative to supply, to be printed in each language

On motion of the Honourable Mr. *Harrison*, seconded by Mr. *Solicitor Day*,

Ordered—That the several Orders of the day, for the House in Committee, on the Bill to facilitate the negotiation of a loan in *England*, and for other purposes therein mentioned ;—on the Bill to repeal certain acts therein mentioned, and to consolidate the Laws relating to the Provincial duties to be levied on Goods, Wares, and Merchandize, imported into this Province ; on the Bill to make certain alterations in the laws relative to duty upon sales of property by auction ; on the Bill for levying a certain rate or duty on Bank notes, issued and in circulation in this Province ; on the Bill to impose a duty on Distilleries in that part of the Province heretofore *Lower Canada* ;—and, on the Bill to appropriate certain sums of money for Public improvements in this Province, and for other purposes therein mentioned—be taken into consideration, and proceeded upon, after the routine business of this day.

Certain Bills to be taken up after the routine business of to-day

Chairman of Com. of whole on Bill for recovery of Small debts in Canada E. reports Amendments to Bill

Mr. *Chesley*, from the Committee of the whole House on the Bill to provide for the more easy and expeditious administration of Justice in Civil causes, and matters involving small pecuniary value, in that part of this Province heretofore *Lower Canada*, reported, according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Bill to be engrossed.

Mr. Attorney General *Ogden* moved, seconded by Mr. *Aylwin*, That the said Bill, as amended, be engrossed.

The question having been put upon the said motion, a division ensued, and it was carried in the Affirmative.

Ordered—Accordingly.

Bill for recovery of small debts in Canada East, passed.

An engrossed Bill to provide for the more easy and expeditious administration of Justice in Civil Causes and matters involving small pecuniary value, in that part of this Province heretofore *Lower Canada*, was read for the third time.

Resolved—That the Bill do pass.

Ordered—That Mr. Attorney General *Ogden* do carry the said Bill to the Legislative Council, and desire their concurrence.

Chairman of Com. of whole on Message and Report on Civil Estimates reports Resolutions.

Mr. *Roblin*, from the Committee of supply to take into consideration the Message of His Excellency, the Governor General, relating to the Estimates for the year ending 31st *December*, 1841; and the Report of the Select Committee, to which was referred so much of the Message of His Excellency, the Governor General, as relates to the said Estimates— together with the documents connected therewith, reported, according to order, the Resolutions of the said Committee, which Resolutions were again read at the Clerk's table, and are as followeth:—

1st Resolution.
£19 3s 6d salary of Clerk in Lt. Governor's office, U. C. up to Union.

1. *Resolved*—That a sum not exceeding nineteen pounds, three shillings and six pence, currency, be granted to Her Majesty to defray the salary of one Clerk in the Lieutenant Governor's Office, in that part of this Province heretofore *Upper Canada*, from the 1st day of *January* to the 9th day of *February*, 1841, both days inclusive.

2nd Resolution
£219 3s. 6d., contingencies, same office.

2. *Resolved*—That a sum not exceeding two hundred and nineteen pounds, three shillings and six pence, currency, be granted to Her Majesty to defray the Contingent Expenses of the Lieutenant Governor's Office, in that part of this Province heretofore *Upper Canada*, for the same period.

3rd Resolution
£38 7s. 1d., chief Clerk, Sec. & Reg's office, U. C (1st Dep)

3. *Resolved*—That a sum not exceeding thirty eight pounds, seven shillings and one penny, currency, be granted to Her Majesty to defray the salary of the Chief Clerk in the Secretary and Registrar's Office (First Department) in that part of this Province heretofore *Upper Canada*, for the same period.

4th Resolution
£38 7s. 1d. Junior Clerks, same office.

4. *Resolved*—That a sum not exceeding thirty eight pounds, seven shillings and one penny, currency, be granted to Her Majesty to defray the salaries of two Junior Clerks in the Secretary and Registrar's Office (First Department) in that part of this Province heretofore *Upper Canada*, for the same period.

5th Resolution.
£32 17s 6d. chief Clerk. (2nd Dep) same office

5. *Resolved*—That a sum not exceeding thirty two pounds, seventeen shillings and six pence, currency, be granted to Her Majesty to defray the salary of one Senior Clerk in the Secretary and Registrar's Office (Second Department) in that part of this Province heretofore *Upper Canada*, for the same period.

6th Resolution
£32 17s 6d. chief Clerk, (3rd Dep.) same office.

6. *Resolved*—That a sum not exceeding thirty two pounds, seventeen shillings and six pence, currency, be granted to Her Majesty to defray the salary of the Senior Clerk in the Secretary and Registrar's Office (Third Department) in that part of this Province heretofore *Upper Canada*, for the same period.

7. *Resolved*—That a sum not exceeding thirty eight pounds, seven shillings and one penny, currency, be granted to Her Majesty to defray the salary of two Junior Clerks in the Secretary and Registrar's Office (Third Department) in that part of this Province heretofore *Upper Canada*, for the same period.

7th Resolution:
£38 7s. 1d., Junior
Clerks, same Dep.

8. *Resolved*—That a sum not exceeding fifty four pounds, fifteen shillings and ten pence, currency, be granted to Her Majesty to defray the contingent expenses of the Secretary and Registrar's Office, in that part of this Province heretofore *Upper Canada*, for the same period.

8th Resolution:
£54 15s. 10d. Con-
tingencies, same office.

9. *Resolved*—That a sum not exceeding ninety two pounds, one shilling and one penny, currency, be granted to Her Majesty to defray the salaries of four Clerks in the Executive Council Office, in that part of this Province heretofore *Upper Canada*, for the same period.

9th Resolution.
£92 1s. 1d. Four
Clerks, Exc. Council
Office, U. C.

10. *Resolved*—That a sum not exceeding twenty one pounds, eighteen shillings and four pence, currency, be granted to Her Majesty to defray the contingent expenses of the Executive Council Office, for that part of this Province heretofore *Upper Canada*, for the same period.

10th Resolution:
£21 18s. 4d. Contin-
gencies, same office.

11. *Resolved*—That a sum not exceeding seventy three pounds, eight shillings, and five pence, currency, be granted to Her Majesty, to defray the salaries of three Clerks in the Receiver General's Office, for that part of this Province heretofore *Upper Canada*, for the same period.

11th Resolution:
£73 8s. 5d., Clerks,
Receiver Gen. Office,
U. C.

12. *Resolved*—That a sum not exceeding twenty one pounds, eighteen shillings, and four pence, currency, be granted to Her Majesty, to defray the contingent expenses of the Receiver General's Office, for that part of this Province heretofore *Upper Canada*, for the same period.

12th Resolution:
£21 18s. 4d. Contin-
gencies, same office.

13. *Resolved*—That a sum not exceeding seventy three pounds, eight shillings, and five pence, currency, be granted to Her Majesty, to defray the salaries of three Clerks in the Inspector General's Office, for that part of this Province heretofore *Upper Canada*, for the same period.

13th Resolution:
£73 8s. 5d. Clerks
Inspector Gen. Office,
U. C.

14. *Resolved*—That a sum not exceeding twenty seven pounds, seven shillings, and eleven pence, currency, be granted to Her Majesty, to defray the contingent expenses of the Inspector General's Office, for that part of this Province heretofore *Upper Canada*, for the same period.

14th Resolution:
£27 7s. 11d., Contin-
gencies, same office.

15. *Resolved*—That a sum not exceeding thirty two pounds, seventeen shillings, and six pence, currency, be granted to Her Majesty, to defray the salary of the Senior Surveyor in the Surveyor General's Office, for that part of of the Province heretofore *Upper Canada*, for the same period.

15th Resolution:
£32 17s. 6d., Senior
Surveyor, Surv. Gen.
Office, U. C.

16. *Resolved*—That a sum not exceeding one hundred and twenty nine pounds, six shillings, and three pence, currency, be granted to Her Majesty, to defray the salaries of six Clerks in the Surveyor General's Office, for that part of this Province heretofore *Upper Canada*, for the same period.

16th Resolution.
£129 6s. 3d. Clerks,
same Office.

17. *Resolved*—That a sum not exceeding thirteen pounds, and three shillings, currency, be granted to Her Majesty to defray the contingent expenses of the Surveyor General's Office, for that part of this Province heretofore *Upper Canada*, for the same period.

17th Resolution:
£13 3s. Contingencies,
same Office.

18. *Resolved*—That a sum not exceeding eighteen pounds, twelve shillings, and seven pence, currency, be granted to Her Majesty, to defray the salary of one Clerk in the Adjutant General's Office, for that part of this Province heretofore *Upper Canada*, for the same period.

18th Resolution:
£18 12s. 7d., Clerk
in Office of Adj't.
Gen. U. C.

19. *Resolved*—That a sum not exceeding thirty two pounds, seventeen shillings, and six pence, currency, be granted to Her Majesty, to defray the contingent expenses of the Adjutant General's Office, for that part of this Province heretofore *Upper Canada*, for the same period.

19th Resolution.
£32 17s. 6d. Contin-
gencies, same Office.

20. *Resolved*—That a sum not exceeding ninety four pounds, nineteen shillings, and six pence, currency, be granted to Her Majesty, to

20th Resolution:
£94 19s. 6d. add'l
Salary of Att'y Gen.
U. C.

defray the charge of the additional salary of the Attorney General for that part of this Province heretofore *Upper Canada*, for the same period.

21st Resolution
£41 5s. Add'l Salary
of Sol^r Gen. U. C.

21. *Resolved*—That a sum not exceeding forty one pounds, eight shillings, currency, be granted to Her Majesty, to defray the charge of the additional salary of the Solicitor General of that part of this Province heretofore *Upper Canada*, for the same period.

22nd Resolution
£87 13s 5d. Criminal
Prosecutions, U. C.

22. *Resolved*—That a sum not exceeding eighty seven pounds, thirteen shillings, and five pence, currency, be granted to Her Majesty, to defray the expenses of criminal prosecutions, of that part of this Province heretofore *Upper Canada*, for the same period.

23rd Resolution
£4 7s 8d. Usher &
Keeper, Queen's
Bench, U. C.

23. *Resolved*—That a sum not exceeding four pounds, seven shillings, and eight pence, currency, be granted to Her Majesty, to defray the salary of the Usher and Keeper of the Court of Queen's Bench, of that part of this Province heretofore *Upper Canada*, for the same period.

24th Resolution
£23 3s 10d. Govern-
ment Printing, U. C.

24. *Resolved*—That a sum not exceeding eighty two pounds, three shillings, and ten pence, currency, be granted to Her Majesty, to defray the expenses of the Government printing of that part of this Province heretofore *Upper Canada*, for the same period.

25th Resolution
£87 13s. 5d. Conting-
encies of Public
Offices, U. C.

25. *Resolved*—That a sum not exceeding eighty seven pounds, thirteen shillings, and five pence, currency, be granted to Her Majesty, to defray the contingent expenses of the Public Offices of that part of this Province heretofore *Upper Canada*, for the same period.

26th Resolution
£6 11s 6d. Conting-
encies, Clerk of
Crown U. C.

26. *Resolved*—That a sum not exceeding six pounds, eleven shillings, and six pence, currency, be granted to Her Majesty, to defray the contingent expenses of the Office of the Clerk of the Crown, of that part of this Province heretofore *Upper Canada*, for the same period.

27th Resolution
£619 3s 6d. annual
appropriation for Com-
mon Schools U. C.

27. *Resolved*—That a sum not exceeding six hundred and nineteen pounds, three shillings, and six pence, currency, be granted to Her Majesty, to defray the charge on the annual appropriation for Common Schools, of that part of this Province heretofore *Upper Canada*, for the same period.

28th Resolution
£5000. Arrears of
Contingencies of Leg-
islative Assembly U.
C.

28. *Resolved*—That a sum not exceeding five thousand pounds, currency, be granted to Her Majesty, to defray the arrears of contingent expenses of the Legislature of that part of this Province heretofore *Upper Canada*, for the same period.

29th Resolution
£200. Casual & Extra-
ordinary Expenses, U.
C.

29. *Resolved*—That a sum not exceeding two hundred pounds, currency, be granted to Her Majesty, to defray the casual and extraordinary expenses of that part of this Province heretofore *Upper Canada*, for the same period.

30th Resolution
£5030 16s 6d. Com-
mon Schools U. C.

30. *Resolved*—That a sum not exceeding five thousand and thirty pounds, sixteen shillings, and six pence, currency, be granted to Her Majesty, for the support of Common Schools, in that part of this Province, heretofore *Upper Canada*, from the 10th of *February* to the 31st *December* 1841, both days inclusive.

31st Resolution
£289 6s. 10½ d. U.
C. College

31. *Resolved*—That a sum not exceeding nine hundred and eighty nine pounds, six shillings, and ten pence, half penny, currency, be granted to Her Majesty, for aid in support of the *Upper Canada* College, for the same period.

32nd Resolution
£371 0s 14d. Central
School, Toronto.

32. *Resolved*—That a sum not exceeding three hundred and seventy one pounds, and one penny, farthing, currency, be granted to Her Majesty, for the support of the Central School in the City of *Toronto*, for the same period.

33rd Resolution
£66 15s 7½ d. Peter-
borough School.

33. *Resolved*—That a sum not exceeding sixty six pounds, fifteen shillings, and seven pence half penny currency, be granted to Her Majesty, for the support of the *Peterborough* School, in that part of this Province heretofore *Upper Canada* for the same period.

34th Resolution
£53 8s. 6d. Conting-
encies, Clerk of
Crown U. C.

34. *Resolved* That a sum not exceeding fifty three pounds, eight shillings, and six pence, currency, be granted to Her Majesty, to defray the

contingent expenses of the Office of the Clerk of the Crown of that part of this Province heretofore *Upper Canada*, for the same period.

35. *Resolved*—That a sum not exceeding eleven thousand, two hundred, and seventy one pounds, currency, be granted to Her Majesty, for aid in support of the Provincial Penitentiary, of that part of this Province heretofore *Upper Canada*, for the same period.

35th Resolution :
£11,271, Penitentiary.

36. *Resolved*—That a sum not exceeding three thousand pounds, currency, be granted to Her Majesty, to pay for printing the Revised Statutes, of that part of this Province heretofore *Upper Canada*, for the same period.

36th Resolution :
£3000, Printing Revised Statutes.

37. *Resolved*—That a sum not exceeding two thousand five hundred pounds, currency, be granted to Her Majesty to defray the expense of completing the Road from *Gawrafraxa* to *Owen's Sound*, of that part of this Province heretofore *Upper Canada*.

37th Resolution .
£2,500, Owen's Sound Road.

38. *Resolved*—That a sum not exceeding five hundred pounds, currency, be granted to Her Majesty, for support of the *Toronto* General Hospital for the same period.

38th Resolution :
£500, Toronto Hospital.

39. *Resolved*—That a sum not exceeding three hundred and fifty pounds, currency, be granted to Her Majesty, for aid in support of the House of Industry at *Toronto*, for the same period.

39th Resolution :
£350, House of Industry, Toronto.

40. *Resolved*—That a sum not exceeding three hundred and fifty pounds, currency, be granted to Her Majesty, for the relief of sick and indigent persons at *Kingston*, for the same period.

40th Resolution :
£350, Sick and Poor at Kingston.

41. *Resolved*—That a sum not exceeding five hundred pounds, currency, be granted to Her Majesty to defray the expenses of Commissioners to be appointed to ascertain claims for losses during the late rebellion, of that part of this Province heretofore *Upper Canada*, for the same period.

41st Resolution :
£500, Commissioners on Losses by late Rebellion.

42.—*Resolved*—That a sum not exceeding three hundred pounds, currency, be granted to Her Majesty to defray the casual and extraordinary expenses of that part of this Province heretofore *Upper Canada*, for the same period.

43rd Resolution :
£300, Casual and Extraordinary Expenses, U. C.

43. *Resolved*—That a sum not exceeding one hundred and twelve pounds, ten shillings, sterling, be granted to Her Majesty, to defray the salary of the Adjutant General of Militia, in that part of this Province heretofore *Lower Canada*, from the 1st *October* to the 31st *December* 1841.

43rd Resolution :
£112 10s. st'g, Adjutant Gen. of Militia, U. C.

44. *Resolved*—That a sum not exceeding sixty seven pounds, ten shillings, sterling, be granted to Her Majesty, to defray the salary of the deputy Adjutant General of Militia in ditto, for the same period.

44th Resolution :
£67 10s. st'g, Deputy Adj't Gen. L. C.

45. *Resolved*—That a sum not exceeding thirty one pounds, one shilling, sterling, be granted to Her Majesty, to defray the salary of the first Clerk in the Office of the Adjutant General of Militia, in ditto, for the same period.

45th Resolution .
£31 1s. st'g, First Clerk, Adj't Gen'l's Office, L. C.

46. *Resolved*—That a sum not exceeding twenty pounds, fourteen shillings, sterling, be granted to Her Majesty, to defray the salary of the second Clerk in the Office of the Adjutant General of Militia, in ditto, for the same period.

46th Resolution
£20 14s. st'g, Second Clerk, Adj't Gen'l's Office, L. C.

47. *Resolved*—That a sum not exceeding fifty pounds, sterling, be granted to Her Majesty, to defray the contingent expenses of Printing, Stationery, Postages, and Messenger, for the Office of the Adjutant General of Militia, in ditto, for the same period.

47th Resolution :
£50, st'g, Contingencies of same Office.

48. *Resolved*—That a sum not exceeding ninety pounds, sterling, be granted to Her Majesty, to defray the salaries of two Provincial Aides-de-Camps, for the same period.

48th Resolution :
£90 st'g, 2 Provincial Aides-de-Camp.

49. *Resolved*—That a sum not exceeding twelve pounds, ten shillings, sterling, be granted to Her Majesty, to defray the expense of translating public documents into the *French* Language, for the same period.

49th Resolution :
£12 10s. st'g, Translating pub. documents.

- 50th Resolution
\$250. st'g. Repairs of
public Buildings
50. *Resolved*—That a sum not exceeding two hundred and fifty pounds, sterling, be granted to Her Majesty to defray the ordinary repairs, alterations, and care of Public Buildings, for the same period.
- 51st Resolution
\$12 10s st'g. Surveyor
of Highways in Gaspé.
51. *Resolved*—That a sum not exceeding twelve pounds, ten shillings, sterling, be granted to Her Majesty, to defray the salary of the Surveyor of High-Ways and Streets in the District of *Gaspé*, for the same period.
- 52nd Resolution
£6 5s. st'g. Inspector
of Chimneys, Three
Rivers.
52. *Resolved*—That a sum not exceeding six pounds, five shillings, sterling, be granted to Her Majesty, to defray the salary of the Inspector of Chimneys at *Three Rivers*, for the same period.
- 53rd Resolution
£37 10s st'g. 3 Keep-
ers of Depôts of Pro-
visions.
53. *Resolved*—That a sum not exceeding thirty seven pounds, ten shillings, sterling, be granted to Her Majesty, to defray the salaries of Three Keepers of Depôts of Provisions on the *St Lawrence*, with a view to the relief of Shipwrecked persons, for the same period.
- 54th Resolution
£500. st'g. unforeseen
Expenses, pub. Ser-
vice.
54. *Resolved*—That a sum not exceeding five hundred pounds sterling be granted to Her Majesty, to defray unforeseen and indispensable expenses in the various branches of the Public Service, for the same period.
- 55th Resolution
£63 10s st'g. Montreal
Grammar School.
55. *Resolved*—That a sum not exceeding sixty three pounds, ten shillings, sterling, be granted to Her Majesty, to defray the salary of the Master of the Grammar School at *Montreal*, and allowance of house rent for the same period.
- 56th Resolution
£25. st'g. Secretary
R. In. for advancement
of Learning.
56. *Resolved*—That a sum not exceeding twenty five pounds, Sterling, be granted to Her Majesty, to defray the salary of the secretary of the Royal Institution for the advancement of Learning, for the same period.
- 57th Resolution
£9 st'g. to do for Clerk
&c.
57. *Resolved*—That a sum not exceeding nine pounds, sterling, be granted to Her Majesty, to defray the allowance to the Secretary of the Royal Institution for the advancement of Learning, for a Clerk and contingences, for the same period.
- 58th Resolution
£6 5s. st'g. to do for a
Messenger.
58. *Resolved*—That a sum not exceeding six pounds, five shillings, sterling, be granted to Her Majesty, to defray the allowance to the Secretary of the Royal Institution for the advancement of Learning, for a Messenger, for the same period.
- 59th Resolution
£119 10s. 7d st'g. for
moving Library to
Kingston
59. *Resolved*—That a sum not exceeding one hundred and nineteen pounds, ten shillings, and seven pence, sterling, be granted to Her Majesty, to defray the expenses in packing, carting, &c. of the Library of the House of Assembly at *Quebec*, to be transported to *Kingston*, and Insurance thereon.
- 60th Resolution
£22 10s. st'g. Deputy
Collector at Philip-
sburg
60. *Resolved*—That a sum not exceeding twenty-two pounds, ten shillings, sterling, be granted to Her Majesty, to defray the salary of the Deputy Collector at the Port of *Philipsburg*, dependent on the Port of *St. John's*, for the same period.
- 61st Resolution
£5 12s. 6d. st'g. to do
for rent of Custom
House.
61. *Resolved*—That a sum not exceeding five pounds, twelve shillings, and six pence, sterling, be granted to Her Majesty to defray the allowance to the Deputy Collector of the Port of *Philipsburg*, for rent of a Custom House, for the same period.
- 62nd Resolution
£9 st'g. Land waiter
at Philipsburg.
62. *Resolved*—That a sum not exceeding nine pounds, sterling, be granted to Her Majesty to defray the salary of a Land waiter at the Port of *Philipsburg*, for the same period.
- 63rd Resolution
£15. st'g. Clerk to
Coll'r at St. John's.
63. *Resolved*—That a sum not exceed forty-five pounds, sterling, be granted to Her Majesty, to defray the salary of an Assistant or Clerk to the Collector at *St. John's*, for the same period.
- 64th Resolution
£430. st'g. Support of
Insane, &c. at Quebec.
64. *Resolved*—That a sum not exceeding four hundred and thirty pounds sterling, be granted to Her Majesty, for the relief of insane persons, and the support of foundlings, and indigent sick persons, in the District of *Quebec*, for the same period.
- 65th Resolution
£287 10s. st'g. do. at
Montreal
65. *Resolved*—That a sum not exceeding two hundred and eighty-seven pounds, ten shillings, sterling, be granted to Her Majesty, for the relief of insane persons, and the support of foundlings, and indigent sick persons, in the District of *Montreal*, for the same period.

66. *Resolved*—That a sum not exceeding one hundred and seventy pounds, sterling, be granted to Her Majesty for the relief of insane persons and the support of foundlings, and indigent sick persons, in the District of *Three Rivers*, for the same period.

66th Resolution .
£170, stg. do. at Three Rivers.

67. *Resolved*—That a sum not exceeding two hundred and twenty-five pounds, sterling be granted to Her Majesty, towards defraying the current expenses of the Corporation of the General Hospital of *Montreal*, for the same period.

67th Resolution .
£225, st'g, Montreal Hospital.

68. *Resolved*—That a sum not exceeding twenty-two pounds, ten shillings, sterling, be granted to Her Majesty, for the Female Orphan Asylum at *Quebec*, for the same period.

68th Resolution .
£22 10s. st'g, Quebec Female Orphan Asylum.

69. *Resolved*—That a sum not exceeding twenty-two pounds, ten shillings, sterling, be granted to Her Majesty, for the *Montreal Protestant* Orphan Asylum, for the same period.

69th Resolution .
£22 10s. st'g, Montreal Protestant Orphan Asylum.

70. *Resolved*—That a sum not exceeding twenty-two pounds, ten shillings, sterling, be granted to Her Majesty, for the Ladies' Benevolent Society at *Montreal*, for Widows and Orphans, for the same period.

70th Resolution .
£22 10s. st'g, Montreal Ladies Benv. Society.

71. *Resolved*—That a sum not exceeding twenty-two pounds, ten shillings, sterling, be granted to Her Majesty, for the *Roman Catholic* Orphan Asylum, at *Quebec*, for the same period.

71st Resolution .
£22 10s. st'g, Quebec R.C. Orphan Asylum.

72. *Resolved*—That a sum not exceeding twenty-two pounds, ten shillings, sterling, be granted to Her Majesty, for the Male Orphan Asylum at *Quebec*, for the same period.

72nd Resolution .
£22 10s. st'g, Male Orphan Asylum at Quebec.

73. *Resolved*—That a sum not exceeding twenty-two pounds, ten shillings, sterling, be granted to Her Majesty, for the *Roman Catholic* Orphan Asylum at *Montreal*, for the same period.

73rd Resolution .
£22 10s. st'g, R. C. Orphan Asylum at Montreal.

74. *Resolved*—That a sum not exceeding two hundred and seventy pounds, sterling, be granted to Her Majesty, towards the support of the Lunatic Asylum at *Montreal*.

74th Resolution :
£270, st'g, Montreal Lunatic Asylum.

75. *Resolved*—That a sum not exceeding six hundred and ninety-five pounds, sterling, be granted to Her Majesty, towards the support of divers Scholastic Institutions for the encouragement of education throughout the heretofore Province of *Lower Canada*, for the same period, being the same Institutions as provided for up to the 1st *October*, 1841.

75th Resolution .
£695, st'g, Schools in L. C.

76. *Resolved*—That a sum not exceeding one thousand eight hundred pounds, sterling, be granted to Her Majesty, towards defraying the expenses of printing the Ordinances of the last Session of the Special Council, and contingent expenses thereof.

76th Resolution .
£1,800, st'g, Printing Ordinances of Special Council.

77. *Resolved*—That a sum not exceeding two thousand pounds, sterling, be granted to Her Majesty, to cover any deficiency there may be on the Tolls, to pay the Interest on the several Loans for Roads, in the Districts of *Montreal* and *Quebec*.

77th Resolution .
£2000, st'g, Interest on Loans for Montreal and Quebec Roads.

78. *Resolved*—That a sum not exceeding twenty two pounds, ten shillings, sterling, be granted to Her Majesty to defray the salary of the keeper of the building for the Legislature at *Quebec*, from the 1st *October* to the 31st *December*, 1841.

78th Resolution .
£22 10s. st'g, Keeper of Parliament Building, Quebec.

79. *Resolved*—That a sum not exceeding two thousand, two hundred and eighty nine pounds, four shillings and eight pence, sterling, be granted to Her Majesty, to repay a like sum advanced from the Military Chest, for defraying expenses incurred in forwarding Emigrants to their destination, after their arrival in the Province of *Lower Canada*, in the year 1840.

79th Resolution .
£2289 4s. 8d. st'g, to repay advance for forwarding Emigrants, in 1840.

80. *Resolved*—That a sum not exceeding three thousand five hundred pounds, sterling, be granted to Her Majesty to defray the probable amount of expenses to be incurred in forwarding Emigrants to their destination after their arrival in the Province, in the year 1841.

80th Resolution .
£3,500, st'g, for forwarding do. in 1841.

81. *Resolved*—That a sum not exceeding one thousand five hundred pounds, sterling, be granted to Her Majesty to defray the probable expense in causing a Geological Survey of the Province to be made.

81st Resolution :
£1,500, st'g. Geological Survey.

82nd Resolution.
£800, cy. C. C. Chan-
cery Fees on Election
Writs.

83rd Resolution:
£62 1s. 8d. st'g, for-
warding Writs of
Election.

Question of concur-
rence put.

1st to 28 Resolution
agreed to.

29th Resolution put.
(£200, cas. & extra.
expenses U C)

82. *Resolved*—That a sum not exceeding eight hundred pounds, cur-
rency, be granted to Her Majesty to pay the Clerk of the Crown in Chan-
cery's fees on writs of elections, and expenses of their transmission.

83. *Resolved*—That a sum not exceeding sixty two pounds, one shil-
ling and eight pence, sterling, be granted to Her Majesty to defray the
expenses in forwarding writs of election by express for the same period.

Ordered—That the question of concurrence be now separately put
upon the said Resolutions.

And the first to the twenty eighth of the said Resolutions, inclusively,
being again severally read, and the question of concurrence being separ-
ately put upon each, they were agreed to by the House.

The twenty ninth of the said Resolutions being again read, and the
question of concurrence being put thereon, a division ensued, and the
names being called for, they were taken down as followeth:—

YEAS.

<i>Buchanan,</i>	<i>Gilchrist,</i>	<i>Parke,</i>	<i>Small,</i>
<i>Cameron,</i>	<i>Harrison, Hon. S. B. Powell,</i>		<i>Smith, (Went.)</i>
<i>Chesley,</i>	<i>Hincks,</i>	<i>Quesnel,</i>	<i>Steele,</i>
<i>Day, Hon. C. D.</i>	<i>Holmes,</i>	<i>Raymond,</i>	<i>Thompson,</i>
<i>Dunscomb,</i>	<i>Morris,</i>	<i>Robertson,</i>	<i>Watts,</i>
<i>Foster,</i>	<i>Ogden, Hon. C. R. Roblin.</i>		<i>Williams.—24.</i>

NOES.

<i>Aylrin,</i>	<i>Christie,</i>	<i>Merritt,</i>	<i>Price,</i>
<i>Baldwin,</i>	<i>Cook,</i>	<i>Morin,</i>	<i>Smith, (Fron.)</i>
<i>Burnet,</i>	<i>Johnston,</i>	<i>Neilson,</i>	<i>Viger, Hon. D. B.</i>
			(12).

Carried.

So it was carried in the Affirmative.

30th to 41st Resolu-
tions agreed to.

The thirtieth to the forty first of the said Resolutions, inclusively,
being again severally read, and the question of concurrence being separ-
ately put upon each, they were agreed to by the House.

42nd Resolution put.
(£300, cas. & extra.
expenses in U. C.)

The forty second of the said Resolutions being again read, and the
question of concurrence being put thereon, a division ensued, and the
names being called for, they were taken down as followeth:—

YEAS.

<i>Buchanan,</i>	<i>Gilchrist,</i>	<i>Parke,</i>	<i>Small,</i>
<i>Cameron,</i>	<i>Harrison, Hon. S. B. Powell,</i>		<i>Smith, (Went.)</i>
<i>Chesley,</i>	<i>Hincks,</i>	<i>Quesnel,</i>	<i>Steele,</i>
<i>Day, Hon. C. D.</i>	<i>Holmes,</i>	<i>Raymond,</i>	<i>Thompson,</i>
<i>Dunscomb,</i>	<i>Morris,</i>	<i>Robertson,</i>	<i>Watts,</i>
<i>Foster,</i>	<i>Ogden, Hon. C. R. Roblin,</i>		<i>Williams.—24.</i>

NOES.

<i>Aylrin,</i>	<i>Christie,</i>	<i>Merritt,</i>	<i>Price,</i>
<i>Baldwin,</i>	<i>Cook,</i>	<i>Morin,</i>	<i>Smith, (Fron.)</i>
<i>Burnet,</i>	<i>Johnston,</i>	<i>Neilson,</i>	<i>Viger, Hon. D. B.</i>
			(12).

Carried.

So it was carried in the Affirmative.

43rd to 53rd. Resolu-
tion agreed to.

The forty third to the fifty third of the said Resolutions, inclusively,
being again severally read, and the question of concurrence being separ-
ately put upon each, they were agreed to by the House.

The fifty fourth of the said Resolutions being again read, and the question of concurrence being put thereon, a division ensued, and the names being called for they were taken down as followeth :—

54th Resolution put (£500, unforeseen expenses, public service.)

YEAS.

<i>Buchanan,</i>	<i>Dunlop,</i>	<i>McNab, Sir A. N.</i>	<i>Quesnel,</i>
<i>Cameron,</i>	<i>Foster,</i>	<i>Morris,</i>	<i>Raymond,</i>
<i>Chesley,</i>	<i>Gilchrist,</i>	<i>Ogden, Hon. C. R.</i>	<i>Robertson,</i>
<i>Daly, Hon. D.</i>	<i>Harrison, Hon. S. B.</i>	<i>Parke,</i>	<i>Steele,</i>
<i>Day, Hon. C. D.</i>	<i>Hincks,</i>	<i>Powell,</i>	<i>Watts.—22.</i>
<i>De Salaberry,</i>	<i>Holmes,</i>		

NOES.

<i>Aylwin,</i>	<i>Cook,</i>	<i>Price,</i>	<i>Smith, (Went.)</i>
<i>Baldwin,</i>	<i>Johnston,</i>	<i>Roblin,</i>	<i>Thompson,</i>
<i>Burnet,</i>	<i>McDonald, (Pres.)</i>	<i>Small,</i>	<i>Viger, Hon. D. B.</i>
<i>Child,</i>	<i>Merritt,</i>	<i>Smith, (Front.)</i>	<i>Williams.—18.</i>
<i>Christie,</i>	<i>Neilson,</i>		

So it was carried in the Affirmative.

The fifty fifth to the fifty eighth of the said Resolutions, inclusively, being again severally read, and the question of concurrence being separately put upon each, they were agreed to by the House.

Carried.

55th to 58th Resolutions agreed to.

The fifty ninth of the said Resolutions being again read, and the question of concurrence being put thereon, a division ensued, and the names being called for, they were taken down as followeth :—

59th Resolution put (£119 10 7, sterling moving Library from Quebec.)

YEAS.

<i>Baldwin,</i>	<i>De Salaberry,</i>	<i>Merritt,</i>	<i>Roblin,</i>
<i>Burnet,</i>	<i>Duncomb,</i>	<i>Morris,</i>	<i>Small,</i>
<i>Cameron,</i>	<i>Foster,</i>	<i>Ogden, Hon. C. R.</i>	<i>Smith, (Front.)</i>
<i>Chesley,</i>	<i>Gilchrist,</i>	<i>Parke,</i>	<i>Smith, (Went.)</i>
<i>Child,</i>	<i>Harrison, Hon. S. B.</i>	<i>Powell,</i>	<i>Steele,</i>
<i>Christie,</i>	<i>Holmes,</i>	<i>Price,</i>	<i>Thompson,</i>
<i>Cook,</i>	<i>Johnston,</i>	<i>Quesnel,</i>	<i>Viger, Hon. D. B.</i>
<i>Daly, Hon. D.</i>	<i>McNab, Sir A. N.</i>	<i>Raymond,</i>	<i>Watts,</i>
<i>Day, Hon. C. D.</i>	<i>McDonald, (Pres.)</i>	<i>Robertson,</i>	<i>Williams.—39.</i>

NOES.

Aylwin, *Neilson.—2.*

So it was carried in the Affirmative.

The sixtieth to the seventy sixth of the said Resolutions, inclusively, being again severally read, and the question of concurrence being separately put upon each, they were agreed to by the House.

Carried.

60th to 76th Resolutions agreed to.

The seventy seventh of the said Resolutions being again read, and the question of concurrence being put thereon, a division ensued, and it was carried in the Affirmative.

77th Resolution agreed to.

The seventy eighth and seventy ninth of the said Resolutions being again severally read, and the question of concurrence being separately put upon each, they were agreed to by the House.

78th & 79th Resolutions agreed to.

The eightieth to the eighty third and last of the said Resolutions being again severally read, and the question of concurrence being separately put thereon, a division ensued upon each, and they were carried in the affirmative, and—

Remaining Resolutions agreed to.

Resolved—That this House doth concur with the Committee in the said Resolutions.

Supply Bill brought in

Ordered—That the Honourable Mr. *Harrison* have leave to bring in a Bill to grant certain sums, therein mentioned, to Her Majesty, towards defraying the expenditure of the Civil Government, for the year ending on the 31st day of *December*, 1841.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time.

Ordered—That the said Bill be read a second time at the next sitting of the House.

Report of Commissioner on Lunatic Asylum at Terol laid before the House.

The Honourable *S. B. Harrison*, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency, the Governor General, the Report of the Honourable the Vice Chancellor, one of the Commissioners appointed for the temporary Asylum for Lunatics at *Toronto*, with the relative documents.

For the said Report, see Appendix (L. L.)

And, also,

Also Report on Owen's Sound Settlement.

The Report of *William Chisholm*, Esquire, and Mr. *McDonald*, Surveyor, upon the *Owen's Sound* Settlement, with the observations of the Honourable *R. B. Sullivan*, upon the said Report.

For the said Report, see Appendix (M. M.)

Message from His Excellency.

The Honourable *S. B. Harrison*, one of Her Majesty's Executive Council, delivered to Mr. Speaker a Message from His Excellency, the Governor General, signed by His Excellency,

And the said Message was read by the Speaker, all the members of the House being uncovered, and is as followeth:—

SYDENHAM,

Message recommending payment of Members of Assembly.

In reply to their Address of the 26th *July*, the Governor General acquaints the House of Assembly, that he will have much pleasure in affording the recommendation of the Crown for a provision to be made by Law for the Sessional payment of members, and for their travelling expenses; and His Excellency has directed a measure to be prepared for that purpose, and submitted to the consideration of the House.

Government House, 10th September, 1841.

House to go into Committee to-morrow, on above Message.

On Motion of the Honourable Mr. *Harrison*, seconded by Mr. Solicitor General *Day*,

Resolved—That this House will, on to-morrow, resolve itself into a Committee of the whole House, on the message of His Excellency, the Governor General, recommending provision to be made for the payment of remuneration to Members of the Legislative Assembly.

150 copies of Report on Lunatic Asylum, and Report on Owen's Sound Settlement, to be printed.

Ordered—That 150 copies of the Report of the Honourable the Vice Chancellor, one of the Commissioners appointed for the Temporary Asylum of Lunatics at *Toronto*; and of the Report of *William Chisholm*, Esquire, and Mr. *McDonald*, Surveyor, upon *Owen's Sound* settlement, with the observations of the Honourable *R. B. Sullivan*, upon the said Report, be printed for the use of the Members of this House.

Bill to tax imported produce read 2nd time.

A Bill for the imposing duties on Agricultural and other produce, and stock, imported into this Country from the *United States of America*, was, according to order, read a second time.

Ordered—That the said Bill be referred to a Committee of the whole House to-morrow.

Bill to amend mac'd roads regulation Act of U. C. read 2nd time.

A Bill to explain and amend an Act of the Legislature of *Upper Canada*, relative to District Turnpike Trusts, was, according to order, read a second time.

On motion of Mr. Price, seconded by Mr. Baldwin.

Ordered—That the second clause of the said Bill be struck out.

Ordered—That the said Bill, as amended, be engrossed.

2nd clause of Bill expunged

Bill to be engrossed.

A Bill to authorise a certain change in the place of a Turnpike Road, in the Township of *West Gwillimbury*, was, according to order, read a second time.

Bill to alter W. Gwillimbury Road read 2nd time.

Ordered—That the said Bill be engrossed.

Bill to be engrossed.

The Order of the day for the House in Committee on the Bill for levying a certain rate or duty on Bank notes, issued and in circulation in this Province, being read,

House in Com. on Bank note duty Bill.

The House accordingly resolved itself into the said Committee.

Mr. Thorburn, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Thorburn, reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Bill reported amended.

Ordered—That the Report be received to-morrow.

The Order of the day for the House in Committee on the Bill to impose a duty upon Distilleries in that part of the Province heretofore *Lower Canada*, being read.

House in Com. on Distilleries duty Bill.

The House accordingly resolved itself into the said Committee.

Mr. De Salaberry, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. De Salaberry, reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Bill reported amended

Ordered—That the Report be received to-morrow.

The Order of the day for the House in Committee on the Bill to facilitate the negotiation of a loan in *England*, and for other purposes therein mentioned, being read,

House in Com. on Loan Bill.

The House accordingly resolved itself into the said Committee.

Mr. Gilchrist, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Gilchrist, reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Bill reported amended.

Ordered—That the Report be received to-morrow.

The Order of the day for the House in Committee on the Bill to make certain alterations in the Laws relative to duty upon sales of property by Auction, being read,

House in Com. on Auction duty Bill.

The House accordingly resolved itself into the said Committee.

Mr. Watts, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. Watts, reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House whenever it shall be pleased to receive the same.

Bill reported amended.

Ordered—That the Report be received to-morrow.

House in Com. on Bill
to regulate Customs
Duties.

The Order of the day for the House in Committee on the Bill to repeal certain Acts therein mentioned, and to consolidate the Laws relating to the Provincial duties to be levied on Goods, Wares, and Merchandize, imported into this Province, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Quesnel*, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Progress reported.

And Mr. *Quesnel*, reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered—That the said Committee have leave to sit again to-morrow.

Commission of late
Collector of Customs
at Coteau du Lac laid
before the House.

The Honourable Mr. *D. Daly*, presented, pursuant to an address of the House of Assembly of the 4th instant, a return with a copy of the commission of the immediate predecessor in the Office of Collector of Customs at *Coteau du Lac*, of the present incumbent, and the date of the resignation of the said immediate predecessor.

Province of }
Lower Canada. } Signed AYLMEER.

WILLIAM the Fourth, by the Grace of GOD, of the United Kingdom of *Great Britain and Ireland* King, Defender of the Faith.

To all to whom these presents shall come, or whom the same may concern.

GREETING :

Commission appoint-
ing John Simpson
Collector of Customs
at Coteau du Lac

Know ye, that reposing trust and confidence in the Loyalty, integrity, and prudence, of Our beloved and faithful *John Simpson*, of *Coteau du Lac*, in Our District of *Montreal*, Esq., We, of Our especial grace, certain knowledge and mere motion, have constituted, and appointed, and by these presents do constitute and appoint, the said *John Simpson* to be Collector of Our Customs at the Port of *Coteau du Lac*, in Our said District of *Montreal*, in Our Province of *Lower Canada*, with full power and authority to do and perform all such acts, matters, and things, as may be necessary, and may belong to the said Office to be done, for the securing, levying, collecting, and receiving, of all and every the duties, imposts, and revenue of customs, due and to grow due, to be levied and become payable to Us, Our Heirs and Successors, and to be collected and received at the said Port of *Coteau du Lac*;—To have, hold, exercise, and enjoy the said office of Collector of Our Customs as aforesaid, with all and every the powers, authority, salary, fees, rights, profits, and advantages, to the said office appertaining, and which of right ought to appertain to the same, unto him, the said *John Simpson*, for and during Our Royal pleasure, and the residence of the said *John Simpson* within Our said District of *Montreal*.

In testimony whereof, We have caused these Our Letters to be made Patent, and the Great Seal of Our said Province of *Lower Canada* to be hereunto affixed.

Witness, Our Trusty and well beloved *Matthew Lord Aylmer*, Knight Commander of the Most Honourable Military Order of the Bath, Lieutenant General and Commander of all Our forces in the Provinces of *Lower Canada* and *Upper Canada*, &c., &c., &c., and administrator of the Government of Our said Province of *Lower Canada*.

At Our Castle of *Saint Lewis*, in Our City of *Quebec*, in Our said Province, the *eleventh* day of *December*, in the year of Our Lord one thousand eight hundred and thirty, and in the first year of Our reign.

(Signed)

D. DALY,
Secretary.

OFFICE OF THE REGISTRAR OF THE PROVINCE OF CANADA,
Kingston, 9th September, 1841.

I do certify that the foregoing is a correct and true copy of the Record of the Commission appointing *John Simpson, Esq.*, Collector at the Port of *Coteau du Lac*, which Commission is recorded in the Twelfth Register of Letters Patent and Commissions, Folio 173.

R. A. TUCKER,
Registrar.

Date of the Resignation of Office of the said late Collector at *Coteau du Lac*:—"4th March, 1841." (Date of collector's resignation.)

At 5 o'clock, Mr. Speaker declared the House adjourned until 7 o'clock, P. M.

Veneris, 10^o die Septembris ;

7 o'Clock, P. M.

A Bill to grant certain sums, therein mentioned, to Her Majesty, towards defraying the expenditure of the Civil Government, for the year ending on the 31st day of *December*, 1841, was, according to order, read a second time.

Supply Bill read 2nd time.

Ordered—That the said Bill be engrossed.

Bill to be engrossed.

The Order of the day for the House in Committee on the Bill to increase the Capital Stock of the Commercial Bank of the *Midland District*, and on the final report of the Select Committee on Currency and Banking, being read,

House in Com. on Commercial Bank stock increase Bill, & final report on Currency and Banking.

The House accordingly resolved itself into the said Committee.

Mr. *Burnet* took the chair of the Committee,

And after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Burnet* reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Bill reported amended

Ordered—That the report be received to-morrow.

On motion of Mr. *Merritt*, seconded by Mr. *Buchanan*,

House to have an evening sitting to-morrow.

Ordered—That when this House doth adjourn to-morrow, at 5 o'clock, it will adjourn until 7 o'clock, P. M.

On motion of Mr. *Buchanan*, seconded by Mr. *Curtwright*.

Remaining orders postponed.

Ordered—That the Orders of the day that have not been disposed of, be postponed until to-morrow ; and that the Committees of the whole House on Banks be the first Orders of the day in the evening sitting.

Then, on motion of Mr. *Small*, seconded by Mr. *Holmes*,
The House adjourned.

Sabbati, 11^o die Septembris ;

Anno 5^o Victoriae Reginae, 1841.

The Petition of *William Tanner*, and others, inhabitants of the Townships of *Grimshy, Gainsborough, Clinton* and *Caistor*, was brought up by Mr. *Powell*, and was laid on the table.

Petition of W. Tanner brought up.

Timber inspection
Bill passed.

An engrossed Bill to regulate the inspection and measurement of timber, masts, spars, deals, staves, and other articles of a like nature, in the Ports of *Quebec* and *Montreal*, and for other purposes relative to the same, was read for the third time.

Resolved—That the Bill do pass.

Ordered—That Mr. *Cameron* do carry the said Bill to the Legislative Council, and desire their concurrence.

Supply Bill passed.

An engrossed Bill to grant certain sums, therein mentioned, to Her Majesty, towards defraying the expenditure of the Civil Government, for the year ending on the 31st *December*, 1841, was read for the third time.

Resolved—That the Bill do pass.

Ordered—That the Honourable Mr. *Harrison* do carry the said Bill to the Legislative Council, and desire their concurrence.

Bill to alter W. Gwillimbury Road passed.

An engrossed Bill to authorize a certain change in the place of a Turnpike road in the Township of *West Gwillimbury*, was read for the third time.

Resolved—That the Bill do pass.

Ordered—That Sir *Allan MacMab* do carry the said Bill to the Legislative Council, and desire their concurrence.

Bill to amend Act regulating mac'd Roads in U. C. read third time.

An engrossed Bill to explain and amend an Act of the Legislature of *Upper Canada*, relative to District Turnpike Trusts, was read for the third time.

Mr. *Morris* moved, seconded by Mr. *Small*,

Ryder added

That the following engrossed Clause, marked A, be added to the said Bill by way of *Ryder*, and do make part thereof:—

CLAUSE A.

“ And be it enacted, that if in any case where lands shall, before the passing of the Act first above cited, have been taken by the Commissioners or Trustees of any road placed by the said Act under the controul of the Commissioners of the District Turnpike Trust, for the purpose of such road, or any other damage shall have been done to any person by such Commissioner or Trustees, in carrying into effect the powers in them vested by Law; and no compensation shall, before the passing of this Act, have been paid or tendered to the party whose land was so taken, or who sustained such damage as aforesaid—it shall be lawful for the Commissioners of the District Turnpike Trust, to assess and tender such compensation; and if such compensation shall not be so assessed and tendered within six months after the passing of this Act, or if the party to whom it shall be tendered be not satisfied therewith, the amount of such compensation shall be decided by a Jury of the District at the Court of Quarter Sessions, to be empanelled and sworn for that purpose, at the request of the party entitled to compensation; and if no compensation shall have been offered, and a verdict for compensation shall be given, or if the verdict shall be for a greater sum than that tendered as aforesaid, the Commissioners shall pay the costs of the proceeding, otherwise they shall be paid by the party claiming compensation; and the amount of the compensation assessed, tendered, or awarded, by verdict, under the provisions of this Section, shall and may be paid by the Commissioners of the District Turnpike Trust, out of any monies in their hands, applicable to the purposes of the Act first above cited.”

The said Clause being thrice read, and the question being put thereon, it was agreed to by the House.

Bill passed.

Resolved—That the Bill do pass.

Ordered—That Mr. *Small* do carry the said Bill to the Legislative Council, and desire their concurrence.

Ordered—That the Petition of the Masters and Owners of *British* Ships trading to the Port of *Quebec*, and of the Pilots of the River *St. Lawrence*, presented to the House on the 25th of *June* last, be referred to the Committee of the whole House, on the Bill to repeal and amend, in part, certain Acts, and a certain Ordinance therein mentioned, and to extend the powers, and increase the funds of the Corporation of the *Trinity* House of *Quebec*.

Petition of Masters of British Ships, and Pilots on *St. Lawrence*, referred to Com. of whole on *Trinity* House Bill.

Mr. *Taschereau*, from the Select Committee to which was referred the Petition of *P. E. Taschereau*, and others, inhabitants of the District of *Chaudière*, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth :—

Com. on Petition of *P. E. Taschereau* and others, report.

For the said Report, see Appendix (S.S.)

Ordered—That the said Report be referred to a Committee of the whole House on *Tuesday* next.

Rep. referred to Com. of whole, *Tuesday*.

Mr. *Dunlop*, from the Select Committee to which was referred the Petition of *R. F. Gourlay*, Esquire, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth :—

Com. on Petition of *R. F. Gourlay*, report.

For the said Report, see Appendix (T.T.)

Ordered—That the said Report be referred to a Committee of the whole House on *Monday* next.

Rep. referred to Com. of whole, *Monday*.

On motion of Mr. *Small*, seconded by Mr. *Baldwin*.

Resolved—That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause to be laid before the Assembly, at the next Session of the Provincial Parliament, a statement of the amount levied and collected in the late Province of *Upper Canada*, for the purpose of erecting a Lunatic Asylum, shewing what amount has been collected in each District of the said Province.

Address to His Exc'y for Statement (next Sess.) of sums collected for Lunatic Asylum in U. C.

Ordered—That the said address be presented to His Excellency by such Members of this House as are of the Honourable the Executive Council of this Province.

Mr. *Thorburn*, moved, seconded by Mr. *Cameron*, That a Select Committee, composed of Sir *Allan MacNab*, Mr. *Merritt*, Mr. *Cartwright*, Mr. Attorney General *Draper*, and Mr. *Thompson*, be appointed to enquire into the state and condition of *Brock's* Monument, and what amount of moneys, if any, has been contributed by the public for its re-erection ; and also whether certain Gold, and Silver Medals, struck for Militia Men, have been distributed, and if so, to whom ; to report thereon with all convenient speed, with power to send for persons, papers, and records.

Motion for Sel. Com. on *Brock's* monument.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down, as followeth :—

YEAS.

<i>Baldwin</i> ,	<i>Gilchrist</i> ,	<i>Parent</i> ,	<i>Smith</i> , (<i>Went</i> .)
<i>Buchanan</i> ,	<i>Harrison</i> , <i>Hon. S. B.</i>	<i>Parke</i> ,	<i>Steele</i> ,
<i>Cameron</i> ,	<i>Holmes</i> ,	<i>Powell</i> ,	<i>Taschereau</i> ,
<i>Chesley</i> ,	<i>Hopkins</i> ,	<i>Quesnel</i> ,	<i>Thompson</i> ,
<i>Cook</i> ,	<i>McNab</i> , <i>Sir A. N.</i>	<i>Robertson</i> ,	<i>Thorburn</i> ,
<i>De Salaberry</i> ,	<i>McLean</i> ,	<i>Roblin</i> ,	<i>Turcotte</i> ,
<i>Dunn</i> , <i>Hon. J. H.</i>	<i>Merritt</i> ,	<i>Simpson</i> ,	<i>Woods</i> .—31.
<i>Durand</i> ,	<i>Morris</i> ,	<i>Smith</i> , (<i>Front</i> .)	

NOES.

<i>Barthe,</i>	<i>Day, Hon. C. D.</i>	<i>Neilson,</i>	<i>Taché,</i>
<i>Burnet, .</i>	<i>Foster,</i>	<i>Ogden, Hon. C. R.</i>	<i>Viger, Hon. D.B.</i>
<i>Curtwright,</i>	<i>Hincks,</i>	<i>Raymond,</i>	<i>Yule.—18.</i>
<i>Christie,</i>	<i>McDonall, (Pres.)</i>	<i>Ruel,</i>	

Motion carried.

So it was carried in the Affirmative, and—
Resolved—Accordingly.

Bill to prevent circulation of bad copper (L. Coun.) read 2nd time.

On motion of Mr. *Hincks*, seconded by Mr. *Moore*,
Ordered—That the engrossed Bill from the Legislative Council, intituled “*An Act to prevent the fraudulent manufacture, importation, or circulation, of spurious Copper and Brass Coin,*” be now read a second time.

The said Bill was accordingly read a second time.

Ordered—That the said Bill be read for the third time on *Monday* next.

House in Com. of Supply on Messages on Hamilton, & P. Dover Road, and L’O. rignal Road

On motion of the Honourable Mr. *Harrison*, seconded by Mr. Solicitor General *Day*.

Resolved—That this House do now resolve itself into a Committee of supply for Public improvements, to take into consideration the two several Messages of His Excellency, the Governor General, upon the subject of the *Port Dover* and *Hamilton* Road, and the Military Road in the *Eastern* District.

The House accordingly resolved itself into the said Committee.

Mr. *Durand* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Resolutions reported.

And Mr. *Durand* reported, that the Committee had come to several Resolutions, which he was directed to submit to the House whenever it shall be pleased to receive the same.

Ordered—That the Report be received on *Monday* next.

Motion for House to entertain no new matter this Session

Mr. *Williams* moved, seconded by Captain *Steele*,

That no new matter, either by Bill or Resolution, be entertained by this House during the present Session, except it be sent down from the Legislative Council.

Motion lost

The question having been put upon the said motion, a division ensued, and it passed in the Negative.

Message from His Excellency

The Honourable *D. Daly*, one of Her Majesty’s Executive Council, delivered to Mr. Speaker a Message from His Excellency, the Governor General, signed by His Excellency.

And the said Message was read by Mr. Speaker, all the members of the House being uncovered, and is as followeth:—

SYDENHAM,

Message agreeing to appoint Commission to revise Statutes of L. Canada.

In reply to their Address of the 28th ultimo, the Governor General informs the House of Assembly that he will have pleasure in taking the necessary steps to comply with their request, for the appointment of a Commission for revising the Statutes and Ordinances of that part of this Province formerly called *Lower Canada*, and consolidating such of the said Statutes and Ordinances as relate to the same subjects, and can be advantageously consolidated.

Kingston, 11th September, 1841.

Chairman of Com. of whole on Loan Bill report amendments.

Mr. *Gilchrist*, from the Committee of the whole House on the Bill to facilitate the negotiation of a loan in *England*, and for other purposes

therein mentioned, reported, according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table.

Mr. Attorney General *Draper* moved, seconded by Mr. Attorney General *Ogden*,

Motion for question of concurrence on amendments.

That the question of concurrence be now separately put upon the said amendments.

Mr. *Neilson* moved, in amendment, seconded by Mr. *Christie*,

Amendment moved.

That all the words after "That" in the said motion, be struck out, and the following substituted: "the said Bill be recommitted, with an instruction that it be so amended as to omit any acknowledgment it may contain of any portion of the public debt, not consented to by vote of the Assembly of the late Province of *Lower Canada*."

The question having been put upon the motion of amendment, a division ensued, and the names being called for, they were taken down as followeth:—

YEAS.

<i>Barthe,</i>	<i>Christie,</i>	<i>Neilson,</i>	<i>Viger, Hon. D.B.</i>
<i>Burnet,</i>	<i>Morin,</i>	<i>Taché,</i>	(7).

NOES.

<i>Baldwin,</i>	<i>De Salaberry,</i>	<i>McNab, Sir A.N.</i>	<i>Robertson,</i>
<i>Black,</i>	<i>Draper, Hon. W.H.</i>	<i>McDonald, (Pres.)</i>	<i>Roblin,</i>
<i>Buchanan,</i>	<i>Dunn, Hon. J.H.</i>	<i>McDonald, (Glen.)</i>	<i>Smith, (Front.)</i>
<i>Cameron,</i>	<i>Dunscomb,</i>	<i>McLean,</i>	<i>Smith, (Went.)</i>
<i>Cartwright,</i>	<i>Durand,</i>	<i>Merritt,</i>	<i>Thompson,</i>
<i>Chesley,</i>	<i>Foster,</i>	<i>Ogden, Hon. C. R.</i>	<i>Thorburn,</i>
<i>Child,</i>	<i>Gilchrist,</i>	<i>Parke,</i>	<i>Watts,</i>
<i>Cook,</i>	<i>Harrison, Hon. S.B.</i>	<i>Powell,</i>	<i>Williams,</i>
<i>Daly, Hon. D.</i>	<i>Hincks,</i>	<i>Quesnel,</i>	<i>Yule. —39.</i>
<i>Day, Hon. C. D.</i>	<i>Holmes,</i>	<i>Raymond,</i>	

So it passed in the Negative.

Amendment lost.

The question being then put upon the main motion, it was agreed to.

Main motion carried.

And the said amendments being again severally read, and the question of concurrence being separately put thereon, they were agreed to by the House.

Amendments to Bill agreed to.

Ordered—That the said Bill, as amended, be engrossed.

An engrossed Bill to facilitate the negotiation of a loan in *England*, and for other purposes therein mentioned, was read for the third time.

Bill read 3rd time.

Mr. Attorney General *Draper* moved, seconded by Mr. Attorney General *Ogden*,

Motion that Bill do pass.

That the Bill do pass.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:—

YEAS.

<i>Black,</i>	<i>Draper, Hon. W.H.</i>	<i>McDonald, (Glen.)</i>	<i>Smith, (Front.)</i>
<i>Buchanan,</i>	<i>Dunn, Hon. J. H.</i>	<i>McLean,</i>	<i>Smith, (Went.)</i>
<i>Cameron,</i>	<i>Dunscomb,</i>	<i>Merritt,</i>	<i>Steele,</i>
<i>Cartwright,</i>	<i>Foster,</i>	<i>Ogden, Hon. C. R.</i>	<i>Thompson,</i>
<i>Chesley,</i>	<i>Gilchrist,</i>	<i>Parke,</i>	<i>Thorburn,</i>
<i>Child,</i>	<i>Harrison, Hon. S.B.</i>	<i>Powell,</i>	<i>Watts,</i>
<i>Cook,</i>	<i>Hincks,</i>	<i>Quesnel,</i>	<i>Williams,</i>
<i>Daly, Hon. D.</i>	<i>Holmes,</i>	<i>Raymond,</i>	<i>Woods,</i>
<i>Day, Hon. C. D.</i>	<i>McNab, Sir A.N.</i>	<i>Robertson,</i>	<i>Yule.—39.</i>
<i>De Salaberry,</i>	<i>McDonald, (Pres.)</i>	<i>Roblin,</i>	

NOES.

<i>Baldwin,</i>	<i>Christie,</i>	<i>Morin,</i>	<i>Taché,</i>
<i>Barthe,</i>	<i>Johnston,</i>	<i>Neilson,</i>	<i>Viger, Hon. D.B.</i>
<i>Burnet,</i>			(9).

Bill passed

So it was carried in the Affirmative, and—

Resolved—Accordingly.*Ordered*—That Mr. Attorney General *Draper* do carry the said Bill to the Legislative Council, and desire their concurrence.Committee of Com. of
Bank Note
Bill reports a-
amendments to Bill.Mr. *Thorburn*, from the Committee of the whole House on the Bill for levying a certain rate or duty on Bank Notes, issued and in circulation in this Province, reported, according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table.Motion for question
of concurrence.Mr. Attorney General *Ogden* moved, seconded by Mr. Attorney General *Draper*,

That the question of concurrence be now separately put upon the said amendments.

Amendment moved.

Mr. *Merritt* moved, in amendment, seconded by Mr. *Neilson*,

That all the words after "That," in the said motion, be struck out, and the following substituted: "the said Bill be recommitted, for the purpose of appropriating the duty to be raised by the Bill, to the payment of the debt hereafter to be created, for the construction of the various public works authorized during the present Session, in conformity with the Resolutions of this House, and for no other purpose."

The question having been put upon the motion of amendment, a division ensued, and the names being called for, they were taken down as followeth:—

YEAS.

<i>Baldwin,</i>	<i>Christie,</i>	<i>Merritt,</i>	<i>Neilson,</i>
<i>Barthe,</i>	<i>Dunsmuir,</i>	<i>Morin,</i>	<i>Viger, Hon. D.B.</i>
<i>Black,</i>			(9).

NOES.

<i>Burnet,</i>	<i>Durand,</i>	<i>McDonald, (Pres.)</i>	<i>Roblin,</i>
<i>Child,</i>	<i>Foster,</i>	<i>McDonald, (Glen.)</i>	<i>Smith, (Fron.)</i>
<i>Cook,</i>	<i>Gilchrist,</i>	<i>McLean,</i>	<i>Smith, (Went.)</i>
<i>Daly, Hon. D.</i>	<i>Harrison, Hon. S.B.</i>	<i>Ogden, Hon. C.R.</i>	<i>Steele,</i>
<i>Day, Hon. C. D.</i>	<i>Hincks,</i>	<i>Parke,</i>	<i>Watts,</i>
<i>Draper, Hon. W.H.</i>	<i>Holmes,</i>	<i>Powell,</i>	<i>Williams,</i>
<i>Dunlop,</i>	<i>Johnston,</i>	<i>Raymond,</i>	<i>Woods,</i>
<i>Dunn, Hon. J. H.</i>	<i>McNab, Sir A. N.</i>	<i>Robertson,</i>	<i>Yule.—32.</i>

Amendment lost.

So it passed in the Negative.

Main motion carried.

The question being then put on the main motion, it was agreed to by the House,

Amendments to Bill
agreed to.

And the said amendments being again severally read, and the question of concurrence being separately put thereon, they were agreed to by the House.

Ordered—That the said Bill, as amended, be engrossed.

Bill read 3rd time.

An engrossed Bill for levying a certain rate or duty on Bank notes, issued and in circulation in this Province, was read for the third time.

Motion that Bill do
pass.Mr. Attorney General *Ogden* moved, seconded by Mr. Attorney General *Draper*,

That the Bill do pass.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down, as followeth :

YEAS.

<i>Baldwin,</i>	<i>Durand,</i>	<i>McDonald, (Glen.)</i>	<i>Roblin,</i>
<i>Child,</i>	<i>Foster,</i>	<i>McLean,</i>	<i>Smith, (Fron.)</i>
<i>Cook,</i>	<i>Gilchrist,</i>	<i>Merritt,</i>	<i>Smith, (Went.)</i>
<i>Daly, Hon. D.</i>	<i>Harrison, Hon. S. B.</i>	<i>Ogden, Hon. C. R.</i>	<i>Steele,</i>
<i>Day, Hon. C. D.</i>	<i>Hincks,</i>	<i>Parke,</i>	<i>Watts,</i>
<i>Draper, Hon. W. H.</i>	<i>Holmes,</i>	<i>Powell,</i>	<i>Williams,</i>
<i>Dunlop,</i>	<i>McNab, Sir A. N.</i>	<i>Raymond,</i>	<i>Woods,</i>
<i>Dunn, Hon. J. H.</i>	<i>McDonald, (Pres.)</i>	<i>Robertson,</i>	<i>Yule.—32.</i>

NOES.

<i>Barthe,</i>	<i>Christie,</i>	<i>Morin,</i>	<i>Taché,</i>
<i>Black,</i>	<i>Dunscomb,</i>	<i>Neilson,</i>	<i>Turcotte,</i>
<i>Cartwright,</i>	<i>Johnston,</i>	<i>Parent,</i>	<i>Viger, Hon. D. B.</i>
			(12).

So it was carried in the affirmative, and—

Resolved accordingly.

Bill passed.

Ordered—That Mr. Attorney General *Ogden* do carry the said Bill to the Legislative Council, and desire their concurrence.

Mr. *De Salaberry*, from the Committee of the whole House, on the Bill to impose a duty upon Distilleries in that part of the Province, heretofore *Lower Canada*, reported, according to Order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table.

Chairman of Com. of whole on Distilleries Duty Bill reports amendments to Bill.

The Honourable Mr. *Harrison* moved, seconded by Mr. Solicitor General *Day*,

Motion for question of concurrence.

That the question of concurrence be now separately put upon the said amendments.

Mr. *Merritt* moved, in amendment, seconded by Mr. *Neilson*,

Amendment moved.

That all the words after "That" in the said motion be struck out, and the following substituted—"the said Bill be recommitted, for the purpose of appropriating the duty to be raised by the Bill to the payment of the debt hereafter to be created for the construction of the various Public Works, authorized during the present session in conformity with the Resolutions of this House, and for no other purpose."

The question having been put upon the motion of amendment, a division ensued, and the names being called for, they were taken down, as followeth :—

YEAS.

<i>Baldwin,</i>	<i>Dunscomb,</i>	<i>Morin,</i>	<i>Taché,</i>
<i>Barthe,</i>	<i>Johnston,</i>	<i>Neilson,</i>	<i>Turcotte,</i>
<i>Black,</i>	<i>Merritt,</i>	<i>Parent,</i>	<i>Viger, Hon. D. B.</i>
<i>Christie,</i>			(13).

NOES.

<i>Cartwright,</i>	<i>Durand,</i>	<i>McDonald, (Glen.)</i>	<i>Smith, (Fron.)</i>
<i>Child,</i>	<i>Foster,</i>	<i>McLean,</i>	<i>Smith, (Went.)</i>
<i>Cook,</i>	<i>Gilchrist,</i>	<i>Ogden, Hon. C. R.</i>	<i>Steele,</i>
<i>Daly, Hon. D.</i>	<i>Harrison, Hon. S. B.</i>	<i>Parke,</i>	<i>Watts,</i>
<i>Day, Hon. C. D.</i>	<i>Hincks,</i>	<i>Powell,</i>	<i>Williams,</i>
<i>Draper, Hon. W. H.</i>	<i>Holmes,</i>	<i>Raymond,</i>	<i>Woods,</i>
<i>Dunlop,</i>	<i>McNab, Sir A. N.</i>	<i>Robertson,</i>	<i>Yule.—31.</i>
<i>Dunn, Hon. J. H.</i>	<i>McDonald, (Pres.)</i>	<i>Roblin,</i>	

So it passed in the Negative.

Amendment lost.

Main motion carried
Amendments agreed
to.

The question being then put upon the main motion, it was agreed to, And the said amendments being again severally read, and the question of concurrence being separately put thereon, they were agreed to by the House.

Amendment to 3rd
clause of Bill.

Ordered—That the third Clause of the said Bill be struck out, and the following substituted :— “ And be it enacted, that every person keeping or using a still, shall obtain a license from the District Inspector, which license shall continue and be in force until the thirty first day of *December* of the year on which the same is granted, and not afterwards, and shall be renewed annually.

Ordered—That the said Bill, as amended, be engrossed.

Bill read 3rd time.

An engrossed Bill to impose a duty upon Distilleries in that part of the Province heretofore *Lower Canada*, was read for the third time.

Motion that Bill do
pass.

The Honourable Mr. *Harrison* moved, seconded by Mr. Solicitor General *Day*,

That the Bill do pass, and the title be “ *An Act to impose a duty upon Distilleries in that part of the Province heretofore called Lower Canada.*”

The question having been put upon the said motion, a division ensued, and the names being called for they were taken down, as followeth :

YEAS.

<i>Baldwin,</i>	<i>Dunn, Hon. J. H.</i>	<i>McDonald, (Pres.)</i>	<i>Roblin,</i>
<i>Black,</i>	<i>Dunscomb,</i>	<i>McDonald, (Glen.)</i>	<i>Smith, (Fron.)</i>
<i>Cartwright,</i>	<i>Durand,</i>	<i>McLean,</i>	<i>Smith, (Went.)</i>
<i>Child,</i>	<i>Foster,</i>	<i>Merritt,</i>	<i>Steele,</i>
<i>Cook,</i>	<i>Gilchrist,</i>	<i>Ogden, Hon. C. R.</i>	<i>Watts,</i>
<i>Daly, Hon. D.</i>	<i>Harrison, Hon. S. B.</i>	<i>Parke,</i>	<i>Williams,</i>
<i>Day, Hon. C. D.</i>	<i>Hincks,</i>	<i>Powell,</i>	<i>Woods,</i>
<i>Draper, Hon. W. H.</i>	<i>Holmes,</i>	<i>Raymond,</i>	<i>Yule.—35.</i>
<i>Dunlop,</i>	<i>McNab, Sir A. N.</i>	<i>Robertson,</i>	

NOES.

<i>Barthe,</i>	<i>Morin,</i>	<i>Parent,</i>	<i>Turcotte,</i>
<i>Christie,</i>	<i>Neilson,</i>	<i>Tuché,</i>	<i>Viger, Hon. D. B.</i>
<i>Johnston,</i>			(9).

Bill passed

So it was carried in the affirmative, and—
Resolved accordingly.

Ordered—That the Honourable Mr. *Harrison*, do carry the said Bill to the Legislative Council, and desire their concurrence.

Chairman of Com-
mittee of whole on
Auction duty Bill re-
ports amendments.

Mr. *Watts*, from the Committee of the whole House on the Bill to make certain alterations in the Law relative to duty upon sales of property by Auction, reported, according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table.

Motion for question of
concurrence.

The Honourable Mr. *Harrison* moved, seconded by Mr. Solicitor General *Day*,

Amendment moved.

That the question of concurrence to now separately put upon the said amendments.

Mr. *Merritt* moved in amendment, seconded by Mr. *Neilson*,

That all the words after “ *That*” in the said motion be struck out, and the following substituted—“ the said Bill be recommitted, for the purpose “ of appropriating the duty to be raised by the Bill to the payment of the “ debt hereafter to be created for the construction of the various Public “ Works authorized during the present session, in conformity with the Re- “ solutions of this House, and for no other purpose.”

The question having been put upon the motion of amendment, a division ensued, and the names being called for, they were taken down as followeth :

YEAS.

<i>Baldwin,</i>	<i>Dunscomb,</i>	<i>Morin,</i>	<i>Taché,</i>
<i>Barthe,</i>	<i>Johnston,</i>	<i>Neilson,</i>	<i>Turcotte,</i>
<i>Black,</i>	<i>Merritt,</i>	<i>Parent,</i>	<i>Viger, Hon. D.B.</i>
<i>Christie,</i>			(13).

NOES.

<i>Cartwright,</i>	<i>Durand,</i>	<i>McDonald, (Glen.)</i>	<i>Smith, (Front.)</i>
<i>Child,</i>	<i>Foster,</i>	<i>McLean,</i>	<i>Smith, (Went.)</i>
<i>Cook,</i>	<i>Gilchrist,</i>	<i>Ogden, Hon. C. R.</i>	<i>Steele,</i>
<i>Daly, Hon. D.</i>	<i>Harrison, Hon. S. B.</i>	<i>Parke,</i>	<i>Watts,</i>
<i>Day, Hon. C. D.</i>	<i>Hincks,</i>	<i>Powell,</i>	<i>Williams,</i>
<i>Draper, Hon. W. H.</i>	<i>Holmes,</i>	<i>Raymond,</i>	<i>Woods,</i>
<i>Dunlop,</i>	<i>McNab, Sir A. N.</i>	<i>Robertson,</i>	<i>Yule.—31.</i>
<i>Dunn, Hon. J. H.</i>	<i>McDonald, (Pres.)</i>	<i>Roblin,</i>	

So it passed in the Negative.

The question being then put upon the main motion, it was agreed to.

And the said amendments being again severally read, and the question of concurrence being separately put thereon, they were agreed to by the House.

Ordered—That the said Bill, as amended, be engrossed.

An engrossed Bill to make certain alterations in the Laws relative to duty upon sales of property by Auction, was read for the third time.

The Honourable Mr. *Harrison* moved, seconded by Mr. Attorney General *Draper*,

That the Bill do pass, and the title be “ *An Act to make certain alterations in the Laws relative to the duty upon sales of property by Auction.* ”

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth :—

YEAS.

<i>Baldwin,</i>	<i>Dunn, Hon. J. H.</i>	<i>McDonald, (Pres.)</i>	<i>Roblin,</i>
<i>Black,</i>	<i>Dunscomb,</i>	<i>McDonald, (Glen.)</i>	<i>Smith, (Front.)</i>
<i>Cartwright,</i>	<i>Durand,</i>	<i>McLean,</i>	<i>Smith, (Went.)</i>
<i>Child,</i>	<i>Foster,</i>	<i>Merritt,</i>	<i>Steele,</i>
<i>Cook,</i>	<i>Gilchrist,</i>	<i>Ogden, Hon. C. R.</i>	<i>Watts,</i>
<i>Daly, Hon. D.</i>	<i>Harrison, Hon. S. B.</i>	<i>Parke,</i>	<i>Williams,</i>
<i>Day, Hon. C. D.</i>	<i>Hincks,</i>	<i>Powell,</i>	<i>Woods,</i>
<i>Draper, Hon. W. H.</i>	<i>Holmes,</i>	<i>Raymond,</i>	<i>Yule.—35.</i>
<i>Dunlop,</i>	<i>McNab, Sir A. N.</i>	<i>Robertson,</i>	

NOES.

<i>Barthe,</i>	<i>Morin,</i>	<i>Parent,</i>	<i>Turcotte,</i>
<i>Christie,</i>	<i>Neilson,</i>	<i>Taché,</i>	<i>Viger, Hon. D.B.</i>
<i>Johnston,</i>			(9).

So it was carried in the Affirmative, and—

Resolved—Accordingly.

Ordered—That the Honourable Mr. *Harrison*, do carry the said Bill to the Legislative Council, and desire their concurrence.

Mr. *Burnet*, from the Committee of the whole House on the Bill to increase the Capital Stock of the Commercial Bank of the *Midland Dis-*

Amendment lost.

Main motion carried.

Amendments agreed to.

Bill read 3rd time.

Motion that Bill do pass.

Bill passed.

Chairman of Committee of whole on

- Commercial Bank Bill reports amendments to Bill. trict, and on the final report of the Select Committee on currency and Banking, reported, according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table.
- 1st to 8th amendments agreed to. *Ordered*—That the question of concurrence be now separately put upon the said amendments.
- 9th amendment agreed to. And the first to the eighth of the said amendments inclusive, being again severally read and the question of concurrence being separately put thereon, they were agreed to by the House.
- Bill to be engrossed. The ninth and last of the said amendments being again read, and the question of concurrence being put thereon, a division ensued, and it was carried in the Affirmative.
- Bill to continue a certain Act read 2nd time House to go in Committee on the Bill. *Ordered*—That the said Bill, as amended, be engrossed.
- Instruction to Committee A Bill to continue for a limited period a certain Act therein mentioned, was, according to order, read a second time.
- House in Committee *Ordered*—That the said Bill be now referred to a Committee of the whole House.
- Bill reported amended *Ordered*—That it be an instruction to the said Committee to amend the said Bill, by extending the provision thereof to the Act of the Legislature of *Upper Canada*, 11th GEORGE IV, as amended by the 3rd. WILLIAM IV, chapter 46: and also to the Act of the said Legislature, 7th WILLIAM IV, chapter 23.
- Bill to be engrossed. The House then resolved itself into the said Committee.
- Message recommending grant of £246 C. Leggo. Captain *Steele*, took the chair of the Committee, and after some time spent therein, Mr. Speaker resumed the chair, And Captain *Steele*, reported that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table, and agreed to by the House.
- House in Committee on customs duties regulation Bill. *Ordered*—That the said Bill, as amended, be engrossed.
- Bill reported amended. The Honourable *S. B. Harrison*, one of Her Majesty's Executive Council, delivered to Mr. Speaker a message from His Excellency, the Governor General, signed by His Excellency. And the said message was read by Mr. Speaker, all the Members of the House being uncovered, and is as followeth :—
- SYDENHAM,
- In reference to the Address from the House of Assembly of the 24th ultimo, the Governor General recommends to the House that the sum of £246 should be granted to *Christopher Leggo*, of the Town of *Brockville*, in consideration of the loss incurred by him from the forcible entry into his shop of certain volunteers, at the time stationed in *Brockville*, for which offence several of those individuals were tried and convicted.
- Government House, Kingston, }
10th September, 1841. }
- House in Committee on customs duties regulation Bill. The Order of the day for the House in Committee on the Bill to repeal certain Acts therein mentioned, and to consolidate the Laws relating to the Provincial duties to be levied on goods, wares, and merchandize, imported into this Province, being read,
- Bill reported amended. The House accordingly resolved itself into the said Committee.
- Bill reported amended. Mr. *Thorburn* took the chair of the Committee, and after some time spent therein, Mr. Speaker resumed the chair, And Mr. *Thorburn* reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was di-

rected to report to the House whenever it shall be pleased to receive the same.

Ordered—That the Report be received on *Monday* next.

The Order of the day for the House in Committee on the message of His Excellency the Governor General, recommending provision to be made for the payment of remuneration to Members of the Legislative Assembly, being read,

House in Com. on Message on remunerating Members of Assembly.

The House accordingly resolved itself into the said Committee.

Mr. *Parent*, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Parent*, reported that the Committee had come to a Resolution, which Resolution was again read at the Clerk's table, and is as followeth:—

Resolution reported.

Resolved—That it is the opinion of this Committee that it is expedient to provide, by law, for a sessional payment to Members of the Legislative Assembly.

Resolution.

The Honourable Mr. *Harrison* moved, seconded by Mr. *Cameron*,

That this House doth concur with the Committee in the said Resolution.

Motion to concur in Resolution.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down, as followeth:—

YEAS.

<i>Aylwin,</i>	<i>Dunlop,</i>	<i>McLean,</i>	<i>Raymond,</i>
<i>Baldwin,</i>	<i>Dunn, Hon. J. H.</i>	<i>Merritt,</i>	<i>Roblin,</i>
<i>Cameron,</i>	<i>Durand,</i>	<i>Morin,</i>	<i>Ruel,</i>
<i>Chesley,</i>	<i>Foster,</i>	<i>Morris,</i>	<i>Smith, (Went.)</i>
<i>Child,</i>	<i>Gilchrist,</i>	<i>Neilson,</i>	<i>Steele,</i>
<i>Christie,</i>	<i>Harrison, Hon. S. B.</i>	<i>Ogden, Hon. C. R.</i>	<i>Taché,</i>
<i>Cook,</i>	<i>Hopkins,</i>	<i>Parent,</i>	<i>Taschereau,</i>
<i>Daly, Hon. D.</i>	<i>Johnston,</i>	<i>Parke,</i>	<i>Thorburn,</i>
<i>Day, Hon. C. D.</i>	<i>McNab, Sir A. N.</i>	<i>Powell,</i>	<i>Turcotte,</i>
<i>De Salaberry,</i>	<i>McDonald, (Pres.)</i>	<i>Quésnel,</i>	<i>Viger, Hon. D. B.</i>
			(40).

NOES.

<i>Black,</i>	<i>McDonald, (Glen.)</i>	<i>Watts,</i>	<i>Williams.—5.</i>
<i>Burnet,</i>			

So it was carried in the affirmative, and—

Resolved—Accordingly.

Motion carried.

The Honourable Mr. *Harrison* moved, seconded by Mr. Solicitor General *Day*, for leave to bring in a Bill to provide, by law, for a sessional payment to Members of the Legislative Assembly.

Motion for leave to bring in Bill for payment of Members of Assembly.

The question having been put upon the said motion, a division ensued.

Yeas, 40.

Noes, 5.

And the names being called for, they were taken down, as in the last preceding division.

So it was carried in the affirmative,

And the said Bill was received and read for the first time.

Carried.

Ordered—That the said Bill be read a second time on *Monday* next.

Bill brought in.

Message on claim of
C. Leggo referred.

On motion of Mr. *Morris*, seconded by Mr. *Cameron*,
Ordered—That the message of His Excellency, the Governor General, on the subject of the claim of *Christopher Leggo*, of the Town of *Brockville*, be referred to the Committee of the whole House on the Report of the Special Committee to which was referred the Report of the Commissioner of the Provincial Steam Dredging Machine, and other references.

Message from His
Excellency.

The Honourable *D. Daly*, one of Her Majesty's Executive Council, delivered to Mr. Speaker a message from His Excellency, the Governor General, signed by His Excellency.

And the said Message was read by Mr. Speaker, all the members of the House being uncovered, and is as followeth :—

SYDENHAM,

Message from His
Excellency, respecting
commission on Feudal
Tenure.

In reply to their address of the 7th instant, the Governor General informs the House of Assembly, that he will take the necessary steps for complying with their wishes as therein expressed in regard to the appointment of a Commission to enquire into and report upon the Tenure of lands commonly called the Seigniorial Tenure, as it obtains in that part of the Province heretofore called *Lower Canada*.

Kingston, 11th September, 1841.

House to go into com.
on Common School
Bill on Monday.

On motion of Mr. Solicitor General *Day*, second by the Honourable Mr. *Harrison*,

Ordered—That the Order of the day for the House in Committee on the Bill to repeal certain Acts therein mentioned, and to make provision for the establishment and maintenance of Common Schools, throughout this Province, and other references, be postponed until *Monday* next, and that it be then the first order of the day.

At five o'clock Mr. Speaker declared the House adjourned until 7 o'clock, P. M.

Sabbati, 11^o die Septembris ;

7 o'clock, P. M.

House in Com. on
Niagara Dist. Bank
stock increase Bill.

The Order of the day for the House in to Committee on the Bill to incorporate sundry persons under the style and title of the President Directors, and Company, of the Bank of the *Niagara* District, being read, The House accordingly resolved itself into the said Committee.

Mr. *Thorburn* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Thorburn* reported that the Committee had gone through the Bill, without making any amendment thereto, and the report was again read at the Clerk's table.

Bill to be engrossed.

Ordered—That the said Bill be engrossed.

House in Com. on
U. C. Bank stock
increase Bill.

The Order of the day for the House in Committee on the Bill to increase the capital stock of the Bank of *Upper Canada*, being read.

The House accordingly resolved itself into the said Committee.

Mr. *Thorburn* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Thorburn* reported that the Committee had gone through the Bill, without making any amendment thereto ; and the report was again read at the Clerk's table.

Bill to be engrossed.

Ordered—That the said Bill be engrossed.

The Order of the day for the House in Committee on the Bill to amend the charter, and increase the capital stock of the *Gore* Bank, being read,

House in Com. on
Gore Bank stock in-
crease Bill.

The House accordingly resolved itself into the said Committee.

Mr. *Thorburn* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Thorburn* reported that the Committee had gone through the Bill without making any amendment thereto; and the report was again read at the Clerk's table.

Ordered—That the said Bill be engrossed.

Bill to be engrossed.

The Order of the day for the House in Committee on the Bill to extend the charter of the Bank of *Montreal*, and to increase its capital stock, being read,

House in Com. on
Montreal Bank stock
increase Bill.

The House accordingly resolved itself into the said Committee.

Mr. *Thorburn* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Thorburn* reported that the Committee had gone through the Bill, without making any amendment thereto; and the report was again read at the Clerk's table.

Ordered—That the said Bill be engrossed.

Bill to be engrossed.

The Order of the day for the House in Committee on the Bill to extend the charter of the City Bank of *Montreal*, and to increase its capital stock, being read,

House in Com. on
Bill to increase stock
of City Bank of Mont-
real.

The House accordingly resolved itself into the said Committee.

Mr. *Thorburn*, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair.

And Mr. *Thorburn*, reported that the Committee had gone through the Bill, without making any amendments thereto; and the Report was again read at the Clerk's table.

Ordered—That the said Bill be engrossed.

Bill to be engrossed.

The Order of the day for the House in Committee on the Bill to extend the charter of the *Quebec* Bank, being read,

House in Com. on
Quebec Bank stock
increase Bill.

The House accordingly resolved itself into the said Committee.

Mr. *Thorburn*, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Thorburn*, reported that the Committee had gone through the Bill, without making any amendment thereto; and the Report was again read at the Clerk's table.

Ordered—That the said Bill be engrossed.

Bill to be engrossed.

On motion of Mr. *Cameron*, seconded by Mr. *Derbislère*,

Ordered—That the Order of the day for the House in Committee on the Bill for the erection of certain Townships in the County of *Kent*, into a separate District, be postponed until *Monday* next.

Consideration of Bill
to erect a new County
in Kent, postponed.

Ordered—That Mr. *Duggan*, have further leave to absent himself from this House during the present Session.

Further leave of ab-
sence to Mr. Duggan.

On motion of Mr. *Morris*, seconded by Mr. *Williams*,

Ordered—That the Orders of the day that have not been disposed of, be postponed until *Monday* next, and that they be then the first orders of the day.

Remaining orders
postponed.

Then, on motion of Mr. *Quesnel*, seconded by the Honourable Mr. *Viger*,

The House adjourned.

Lunæ, 13^o die Septembris;

Anno 5^o Victoriae Reginae, 1841.

Montreal Bank stock
increase Bill passed

An engrossed Bill to extend the charter of the Bank of *Montreal*, and to increase its Capital Stock, was read for the third time.

Resolved—That the Bill do pass, and the title be “ *An Act to renew the Charter of the Bank of Montreal, and to increase its Capital Stock.*”

Ordered—That Mr. *Holmes*, do carry the said Bill to the Legislative Council, and desire their concurrence.

U. C. Bank stock
increase Bill passed.

An engrossed Bill to increase the Capital Stock of the Bank of *Upper Canada*, was read for the third time.

Resolved—That the Bill do pass.

Ordered—That Mr. *Buchanan*, do carry the said Bill to the Legislative Council, and desire their concurrence.

Commercial Bank
Stock increase Bill
passed.

An engrossed Bill to increase the Capital Stock of the Commercial Bank of the *Midland District*, was read for the third time.

Resolved—That the Bill do pass, and the title be “ *An Act for increasing the Capital Stock of the Commercial Bank of the Midland District.*”

Ordered—That Mr. *Cartwright*, do carry the said Bill to the Legislative Council, and desire their concurrence.

Bill to continue cer-
tain Acts passed

An engrossed Bill to continue, for a limited period, certain Acts therein mentioned, was read for the third time.

Resolved—That the Bill do pass, and that the title be “ *An Act to continue for a limited time, certain Acts therein mentioned.*”

Ordered—That Mr. Solicitor General *Day*, do carry the said Bill to the Legislative Council, and desire their concurrence.

Bill to increase stock
of City Bank of Mont-
real passed.

An engrossed Bill to extend the charter of the City Bank of *Montreal*, and to increase its Capital Stock, was read for the third time.

Resolved—That the Bill do pass, and the title be “ *An Act to extend the charter of the City Bank, and to increase the Capital Stock thereof.*”

Ordered—That Mr. *Dunscumb* do carry the said Bill to the Legislative Council, and desire their concurrence.

Petitions read.

Pursuant to the Order of the day, the following Petitions were read:—

Of Rev. J. Machar
& others.

Of the Reverend *John Machar*, and the Elders and Congregation of *St. Andrew's Church, Kingston*, praying that the Scriptures may be used as a class book in the Schools and Seminaries.

Of Maria McCrea.

Of *Maria McCrea*, stating that she was placed in the house, for the meeting of the Legislature, under an expectation of being appointed House-keeper, and praying remuneration for the loss sustained in not being appointed.

Of W. McClelland
and others.

Of *William McClelland*, and others, inhabitants of the Township of *Thorold*, praying that the *Welland Canal Company* may be compelled to erect a Bridge over the Canal where it crosses the road from *Allansburg* to *St. Catharines*.

Of W. Leslie and
others

Of *William Leslie*, and others, inhabitants of *Streetsville* and neighbourhood, praying that the Scriptures may be used as a class book in such Schools as may be established in the Province.

Of J. J. S. Moodie
and others.

Of *J. J. S. Dunbar Moodie*, and others, inhabitants of the 'Town of

Belleville, and its vicinity, praying that a law may be passed rendering illegal all secret societies and secret meetings.

Of *James Murray*, and others, inhabitants of the Town of *Belleville* and its vicinity, praying that a law may be passed rendering illegal all secret societies and meetings.

Of J. Murray and others.

Of *William Moore*, of the City of *Montreal*, Inspector of Beef and Pork, stating that by the Bill now before the House to regulate the inspection of Beef and Pork, Petitioner will sustain great loss, and praying relief.

Of W. Moore.

Of the Very Reverend the Archdeacon *Stuart*, and others, inhabitants of the Town of *Kingston*, praying for the establishment of a Stipendiary Magistracy in the said Town.

Of Archdeacon Stuart & others.

Of *William Tanner*, and others, inhabitants of the Townships of *Grimsby*, *Gainsborough*, *Clinton* and *Caistor*, praying that the Bill to erect the County of *Haldimand* into a District may not receive the sanction of the Assembly.

Of W. Tanner and others.

Ordered—That the Petition of *William Tanner*, and others, inhabitants of the Townships of *Grimsby*, *Gainsborough*, *Clinton* and *Caistor*, be referred to the Committee of the whole House on the Bill to erect the County of *Haldimand* into a separate District, by the name of “The District of *Manchester*.”

Petition of W. Tanner and others referred to Com of whole on Haldimand District Bill.

Ordered—That the Petition of *Maria McCrea*, be referred to the Special Committee on the Contingent Accounts and Expenses of the present Session.

Petition of M McCrea referred to Com. of Contingencies.

The Honourable Mr. *Viger*, from the Special Committee, to which was referred the Petition of *Jacob Glen*, *René Boileau*, and others, of *Chambly*, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

Com. on Petition of J. Glen and others report.

For the said Report, see Appendix (U. U.)

On motion of Mr. *Morris*, seconded by Mr. *Cameron*,

Ordered—That the Order of the House of *Saturday* last, referring the Message of His Excellency, the Governor General, on the subject of the claim of *Christopher Leggo*, of the Town of *Brockville*, to the Committee of the whole House on the Report of the Special Committee to which was referred the Report of the Commissioners of the Provincial Steam Dredging Machine, be discharged.

Order for House in Com. on Message on claim of C. Leggo, discharged.

Ordered—That Mr. *Morris* have leave to bring in a Bill to authorize the payment of a certain sum of money to *Christopher Leggo*.

Bill to compensate C. Leggo brought in.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time.

Ordered—That the Bill be read a second time to-morrow.

Ordered—That Mr. *Morris*, be added to the Special Committee on the contingent accounts, and other expenses of the present Session.

Member added to Com. on Contingencies.

On motion of Sir *Allan MacNab*, seconded by the Honourable Mr. *Dunn*.

Resolved—That an humble address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to extend the time for proroguing the present Session of the Provincial Parliament until *Friday* next, to enable this House to get through many important measures, which must otherwise be lost.

Address to His Excellency to extend time for prorogation, ordered.

Ordered—That the said address be presented to His Excellency, by such Members of this House, as are of the Honourable the Executive Council of this Province.

Message from His Excellency.

The Honourable *S. B. Harrism*, one of Her Majesty Executive Council, delivered to Mr. Speaker a message from His Excellency, the Governor General, signed by His Excellency.

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered, and is as followeth :—

SYDENHAM,

Message recommending appropriation in aid of Victoria College

The Governor General recommends to the House of Assembly the appropriation of a sum, not exceeding £500, to the Trustees of Victoria College, for the purposes of that Institution.

His Excellency has been given to understand, that without some pecuniary assistance, the objects for which an Act relating to this College was passed during the present Session, cannot be carried into effect, and he therefore recommends such appropriation to the consideration of the House.

Government House, 13th September, 1841.

House to go into Committee of supply to-morrow.

On Motion of the Honourable Mr. *Harrison*, seconded by Mr. Attorney General *Ogden*.

Resolved—That this House will to-morrow resolved itself into a Committee of supply.

Above message referred to the Committee of supply.

Ordered—That the message of His Excellency, the Governor General, on the subject of a grant of £500, to the Victoria College, be referred to the Committee of supply.

Amendments of L. Council to Gaspé Fisheries Bill considered

On motion of Mr. *Christie*, seconded by Mr. *Morin*,

Ordered—That the Order of the day for taking into consideration the amendments made by the Legislative Council, to the Bill entitled “*An Act to regulate the Fisheries in the District of Gaspé*,” be now read.

The Order of the day for taking into consideration amendments made by the Legislative Council to the Bill entitled “*An Act to regulate the Fisheries in the District of Gaspé*,” being read,

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth :—

Amendments.

Press 1, Line 28—After “Majesty” insert “or Her Royal Predecessors.”

Press 1, Line 29—After “Majesty” insert “or Her Royal Predecessors.”

Press 1, Line 33—Before the words “this Province” insert “the late Province of Lower Canada or of.”

Press 1, Line 37—Leave out “domains” and insert “dominions.”

Same Line—After “belonging” insert “as well as all other subjects of Her Majesty.”

Press 2, Line 5—Leave out “His” and insert “Her.”

Same Line—After “Majesty” insert “or Her Royal Predecessors.”

Press 2, Line 9—Before the words “this Province” insert “the late Province of Lower Canada or of.”

Press 2, Line 31—Before “Bank” insert “fishing.”

Press 2, Line 37—After “as” insert “wilfully.”

Press 2, Line 38—After “be” insert “wilfully.”

Press 3, Line 1—After “destroyed” insert “provided always that no such Nets or Seines as aforesaid, shall be set or used so as to incommode or obstruct the Navigation or anchorage in any Harbour, Roadstead, Cove, or place, necessary for the common purposes of Navigation.

Press 4, Line 18—Leave out “Justice,” and insert “Justices.”

Press 4, Line 31—Leave out “aforesaid,” and insert “whenever the said Court shall be in operation.”

Press 4, Line 32—After “advertisement,” insert “in the *English* and *French* Languages.”

Press 5, Line 10—After “Court,” insert “or of the fourth division of the Court of Common Pleas aforesaid.”

Press 5, Line 34—Leave out “thirty days,” and insert “six months.”

Press 6, Line 26—After “Court,” insert “or the fourth division of the Court of Common Pleas aforesaid.”

Press 7, Line 3—After “District,” insert “or of the presiding Judge of the fourth division of the Court of Common Pleas aforesaid.”

Press 9, Line 12—Before the first “of,” insert “Court.”

And the said amendments being again read, they were agreed to by the House. Amendments agreed to.

Ordered—That Mr. *Christie* do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

On motion of Mr. *Merritt*, seconded by Mr. *Morin*.

Resolved—That this House do now resolve itself into a Committee of the whole House, to consider the draft of an Address to Her Majesty, founded on a Resolution of this House of the 5th of *August* last, on the subject of the free admission of the products of this Province into the Ports of Great *Britain*.

House in Com. on addressing Her Majesty on admitting Canadian products into Great Britain free of duty.

The House accordingly resolved itself into the said Committee.

Mr. *Roblin* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Roblin* reported, that the Committee had passed an humble Address to Her Majesty, which Address was again read at the Clerk's table, and agreed to by the House, and is as followeth:—

Address to Her Majesty reported, and agreed to.

“ TO THE QUEEN'S MOST EXCELLENT MAJESTY.

MOST GRACIOUS SOVEREIGN,

We, Your Majesty's dutiful and loyal Subjects, the Legislative Assembly of the Province of *Canada*, in Parliament assembled, humbly beg leave to represent to Your Majesty, that we fully concur in the several Addresses to Your Majesty, by the late House of Assembly of that part of this Province formerly *Upper Canada*, praying for the admission of the products of *Canada* into the Ports of *Great Britain* free from duty, thus placing Your Majesty's Subjects in this Province on equal terms with other portions of Your Majesty's Empire, and establishing a fixed and certain policy, which will promote the mutual prosperity of both this and the Mother Country, and assure our happy connexion for all time to come; we do therefore most humbly beseech Your Majesty to take again this subject into Your Royal consideration, and recommend to Your Imperial Parliament that this, our humble request, may be complied with.”

Address.

Ordered—That the said Address be engrossed.

On motion of Mr. *Cartwright*, seconded by Mr. *Morris*,

Ordered—That the engrossed Bill from the Legislative Council, intitled “*An Act to regulate the taking of securities in all offices in respect of which security ought to be given, and for avoiding the grant of all such offices, in the event of such security not being given within a limited time after the grant of such office,*” be now read a second time.

Bill to regulate taking of securities (L. C¹). read 2nd time.

The said Bill was accordingly read a second time.

Ordered—That the said Bill be read for the third time to-morrow.

Gore Bank stock
increase Bill read 3rd
time.

An engrossed Bill to amend the Charter and increase the Capital Stock of the *Gore Bank*, was read for the third time.

Ryder moved.

Sir *Allan MacNab* moved, seconded by Mr. Solicitor General *Duy*, That the following engrossed Clause, marked A, be added to the said Bill, by way of Ryder, and make part thereof:—

(A.)

“ And be it enacted, that it shall not be lawful for any stock-holder in the said Bank to transfer any share or shares therein to any person, for the purpose of enabling such person to vote at any election of Directors of the said Bank, or to become a Director thereof, without having *bona fide* transferred such share or shares to such person to and for his absolute use, and subject to no promise, engagement, or undertaking, on the part of such person or persons, to transfer such share or shares, or to hold the same for the benefit of the transferor, or to pay to him directly or indirectly any part of the dividends, profits or proceeds, of such share or shares, or for any person to accept and vote upon any such unlawful transfer, or to act as if he were qualified to be a Director by any such transfer, under a penalty of one hundred pounds, currency, to be recovered from any party making such unlawful transfer, or from the party accepting the same and voting thereon, either in person or by proxy, or acting as a Director as aforesaid, by Civil Action in any Court of competent jurisdiction, by any Stockholder in the said Bank who shall sue for the same: Provided always, that in any such action, either of the parties to such unlawful transfer (not being the Defendant) shall be a competent witness, and compellable to attend in Court as such, but shall, if examined as a witness, be thereafter discharged from all liability to any penalty for or by reason of such unlawful transfer, unless a verdict or Judgment shall have been previously rendered against him for such penalty: and one moiety of any such penalty shall belong to Her Majesty, for the Public uses of the Province, and the other moiety shall belong to the person suing for the same.”

Carried.

The said Clause being thrice read, and the question of concurrence being put thereon, a division ensued, and it was carried in the affirmative.

Add'l Ryder moved.

Mr. *Johnston* moved, seconded by Mr. *Dunlop*, That the following engrossed clause, marked (B.) be added to the said Bill by way of Ryder, and make part thereof:—

(B.)

“ And be it enacted, that nothing in this Act contained shall extend, or be construed to extend, to authorize or empower any Bank, Branch Bank, or Agency, to sue for, recover, demand, receive, or take, any sum or sums of money for or on account of any protest from any drawer, acceptor, or indorser, of any inland Bill of exchange, or from any maker or endorser of any promissory note made and payable within this Province.”

Lost.

The question being put upon the said motion, a division ensued, and it passed in the Negative.

Bill passed.

Resolved—That the Bill do pass.

Ordered—That Mr. *Thompson* do carry the said Bill to the Legislative Council, and desire their concurrence.

Further leave to Com.
on Election for 2nd
Riding York to ad-
journ.

On motion of Mr. *Roblin*, seconded by Mr. *Hincks*,
Ordered—That the Committee appointed to try the merits of the Petitions of divers electors of the 2nd Riding of the County of *York*, and of *Cornell James Baldwin*, Esquire, complaining of the undue election and return of *George Duggan*, Esquire, the sitting Member for the said 2nd Riding of the County of *York*, have leave to adjourn until *Saturday*, the 18th instant.

Further leave to Com.
on Niagara Election
to adjourn.

On motion of Mr. *Williams*, seconded by Mr. *Gilchrist*,
Ordered—That the select Committee appointed to try the merits of

the Petition, of *Robert Melville* and *John McBride*, electors of the Town of *Niagara*, complaining of the undue election and return of *Edward Clarke Campbell*, Esquire, as member to represent the said Town of *Niagara*, in the present Parliament, have leave to adjourn until *Saturday* the 18th instant.

On motion of Sir *Allan MacNab*, seconded by Mr. *Fuchanan*.

*Resolved—Nemine Contradicente—*That the Special Committee of this House, appointed to search the Journals of the Legislative Council, on the subject of the Bill passed by this House intituled "*An Act for preventing any failure of Justice in respect of complaints of undue elections or Returns of Members of the Legislative Assembly of this Province at the last General election,*" have reported, that the said Bill has been lost in the Legislative Council.

Resolution declaring that inquiry shall be made, next session, into the late Elections for Canada East.

That the Petitions referred to in the said Bill contain allegations of the occurrence of outrages of the most aggravated character, and which, if true, are most injurious to the peace of the Country, and in a high degree destructive of the principles of the constitution, and of the freedom of Election, upon which rests the character of this House as being a true Representative of the people.

That this House hold it to be their bounden duty, as the grand Inquest of the Country, and as guardians of the liberties of the people, to institute a public enquiry into the said allegations, in order that, if true, the said occurrences may not in any way take place hereafter, and that remedy be applied in the premises by the authority of this House and of the Legislature.

That this House will proceed to the said enquiry early in the next Session, according to the laws, privileges, and customs, of Parliament.

Mr. *Durand*, from the Committee of supply for Public Improvements, to take into consideration the two several Messages of His Excellency, the Governor General, upon the subject of the *Port Dover* and *Hamilton* Road, and the Military Road in the *Eastern* District, reported, according to order, the Resolutions of the said Committee, which Resolutions were again read at the Clerk's table, and are as followeth :—

Chairman of Com. of Supply on Messages on Port Dover Road & L'Orignal Road reports Resolutions.

*Resolved—*That there be granted to Her Majesty a sum not exceeding fifteen hundred pounds, for the completion of the Military Road, from the *Ottawa*, near *L'Orignal*, to the *St. Lawrence*.

1st Resolution .
&1,500, Ottawa and St. Lawrence Road.

*Resolved—*That there be granted to Her Majesty a sum not exceeding thirty thousand pounds, for the formation of a line of Road from *Hamilton* to *Port Dover*.

2nd Resolution :
£30,000, Hamilton & Port Dover Road.

*Ordered—*That the question of concurrence be now separately put upon the said Resolutions.

And the first of the said resolutions being again read, and the question of concurrence being put thereon, a division ensued, and it was carried in the affirmative.

1st Resolution carried.

The second of the said Resolutions being again read, and the question of concurrence being put thereon, a division ensued, and the names being called for, they were taken down, as followeth :—

2nd Resolution put.

YEAS.

<i>Aylwin,</i>	<i>Gilchrist,</i>	<i>Parke,</i>	<i>Sherwood,</i>
<i>Buchanan,</i>	<i>Harrison, Hon. S.B.</i>	<i>Powell,</i>	<i>Steele,</i>
<i>Burnet,</i>	<i>Hopkins,</i>	<i>Quesnel,</i>	<i>Taché,</i>
<i>Cartwright,</i>	<i>McNab, Sir A.N.</i>	<i>Raymond,</i>	<i>Thompson,</i>
<i>Christie,</i>	<i>McDonald, (Pres.)</i>	<i>Robertson,</i>	<i>Williams,</i>
<i>De Salaberry,</i>	<i>Morin,</i>	<i>Roblin,</i>	<i>Woods,</i>
<i>Durand,</i>	<i>Neilson,</i>	<i>Smith, (Went.)</i>	<i>Yule. —30.</i>
<i>Foster,</i>	<i>Ogden, Hon. C. R.</i>		

NOES.

<i>Baldwin,</i>	<i>Cook,</i>	<i>Merritt,</i>	<i>Thorburn,</i>
<i>Barthe,</i>	<i>Johnston,</i>	<i>Morris,</i>	<i>Viger, Hon.D.B.</i>
			(8).

Carried.

So it was carried in the Affirmative.

Resolutions referred to Com. of whole on Public Improvements Bill.

Ordered—That the said Resolutions be referred to the Committee of the whole House on the Bill to appropriate certain sums of money for Public improvements in this Province, and for other purposes therein mentioned.

The Order of the day for receiving the Report of the Committee of the whole House on the Bill to repeal certain Acts therein mentioned, and to consolidate the Laws relating to the Provincial duties to be levied on goods, wares, and merchandize, imported into this Province, being read,

Motion to recommit Bill to regulate Customs Duties.

The Honourable Mr. *Harrison* moved, seconded by Mr. *Parke*, That the said Bill and Report be now recommitted to a Committee of the whole House.

The question having been put upon the said motion a division ensued, and the names being called for they were taken down, as followeth :

YEAS.

<i>Cartwright,</i>	<i>Harrison, Hon.S.B.</i>	<i>Morris,</i>	<i>Smith, (Went.)</i>
<i>Child,</i>	<i>Hincks,</i>	<i>Parke,</i>	<i>Steele,</i>
<i>Christie,</i>	<i>Hopkins,</i>	<i>Powell,</i>	<i>Taché,</i>
<i>Day, Hon. C. D.</i>	<i>McNab, Sir A.N.</i>	<i>Raymond,</i>	<i>Thompson,</i>
<i>De Salaberry,</i>	<i>McDonald, (Pres.)</i>	<i>Robertson,</i>	<i>Thorburn,</i>
<i>Durand,</i>	<i>McDonald, (Glen.)</i>	<i>Roblin,</i>	<i>Watts,</i>
<i>Foster,</i>	<i>McLean,</i>	<i>Simpson,</i>	<i>Williams.—30.</i>
<i>Gilchrist,</i>	<i>Merritt,</i>		

NOES.

<i>Aylwin,</i>	<i>Buchanan,</i>	<i>Cook,</i>	<i>Neilson,</i>
<i>Baldwin,</i>	<i>Burnet,</i>	<i>Morin,</i>	<i>Viger, Hon.D.B.</i>
<i>Barthe,</i>			(9).

Carried.

So it was carried in the Affirmative.

House in Com. on the Bill.

And the House accordingly resolved itself into the said Committee.

Mr. *Aylwin* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Bill reported amended.

And Mr. *Aylwin* reported, that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House whenever it shall be pleased to receive the same.

Ordered—That the Report be received to-morrow.

Members payment Bill read 2nd time.

A Bill to provide, by Law, for a Sessional Payment of Members of the Legislative Assembly, was, according to order, read a second time.

Motion to commit Bill to-morrow.

The Honourable Mr. *Harrison* moved, seconded by Mr. Solicitor General *Day*,

That the said Bill be referred to a Committee of the whole House to-morrow.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth :—

YEAS.

<i>Cook,</i>	<i>Dunn, Hon. J.H.</i>	<i>Foster,</i>	<i>Harrison, Hon.S.B.</i>
<i>Daly, Hon. D.</i>	<i>Durand,</i>	<i>Gilchrist,</i>	<i>Hincks,</i>

Merritt, Parke, Powell, Raymond,	Robertson, Roblin, Simpson,	Smith, (Fron.) Smith, (Went.) Steele,	Thompson, Thorburn, Woods.—21.
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NOES.

Aylwin, Baldwin, Black, Buchanan, Burnet,	Christie, De Salaberry, Johnston, McNab, Sir A. N. Neilson,	McDonald, (Glen.) McLean, Morin, Viger, Hon. D.B.	Parent, Quesnel, Taché, (17).
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So it was carried in the Affirmative, and—
Ordered—Accordingly.

Carried.

An engrossed Bill from the Legislative Council, intituled “*An Act to prevent the fraudulent manufacture, importation, or circulation of spurious copper and Brass Coin,*” was, according to order, read for the third time.

Bill to prevent circulation of bad copper (Leg. Council) read 3rd time.

Resolved—That the Bill do pass.

Bill passed.

Ordered—That Mr. *Hincks* do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath passed the same without any amendment.

The Order of the day for the House in Committee on the Bill to repeal certain Acts therein mentioned, and to make provision for the establishment and maintenance of Common Schools throughout this Province, and other references, being read,

The House accordingly resolved itself into the said Committee.

House in Com. on Common Schools Bill.

Mr. *J. S. MacDonald* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *J. S. MacDonald* reported, that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House whenever it shall be pleased to receive the same.

Bill reported amended.

Ordered—That the Report be received to-morrow.

A Message from the Legislative Council, by *John Godfrey Spragge*, Esquire, Master in Chancery.

Message from Leg. Council.

MR. SPEAKER,

The Legislative Council have passed the following Bills, without any amendment :—

Bills passed Legislative Council.

“*An Act to regulate the inspection of Beef and Pork.*”

Beef and Pork inspection Bill.

“*An Act to appoint additional Commissioners to settle the affairs of the late pretended Bank of Upper Canada, at Kingston.*”

Bill appointing additional Commissioners on late Bank at Kingston.

“*An Act to extend the time limited by Law, for the construction of the Port Dover Harbour.*”

Bill to extend time for completing Port Dover Harbour

And, also,

The Legislative Council have passed the following Bills, with several amendments, to which they desire the concurrence of the Assembly :—

Bills sent down ame'd.

“*An Act to encourage the establishment of, and regulate, Savings Banks in this Province.*”

Savings Banks Bill.

“*An Act to regulate the inspection of Flour and Meal.*”

Flour and Meal Inspection Bill.

And, also,

The Legislative Council have passed a Bill, intituled “*An Act to afford relief, in certain cases, to Sellers of Real Estate, in that part of this*”

Bill for relief of sellers of Estate in Ca-

nada W. sent down
for concurrence.

“Province formerly Upper Canada,” to which they desire the concurrence of the Assembly.

And then he withdrew.

Bill read 1st time.

An engrossed Bill from the Legislative Council, intituled “*An Act to afford relief, in certain cases, to Sellers of Real Estate, in that part of this Province formerly Upper Canada,*” was read for the first time.

Message from His Ex-
cellency.

T. W. C. Murdoch, Esquire, Chief Secretary to His Excellency, the Governor General, was admitted within the Bar, and delivered to Mr. Speaker a Message from His Excellency, the Governor General, signed by His Excellency.

And then he withdraw.

And the said Message was read by Mr. Speaker, all the members of the House being uncovered, and is as followeth:—

SYDENHAM,

Message thanking the
House for address
of condolence.

The Governor General begs to convey to the House of Assembly the expression of his thanks for their Address of the eighth instant, and to assure them of the gratification he has experienced under the suffering with which he has been afflicted, from the expression of the sympathy of the House.

Government House, }
13th September, 1841. }

House in Com. on
indigent Emigrants’
Fund Bill.

The Order of the day for the House in Committee on the Bill to create a fund for defraying the expenses of enabling indigent emigrants to proceed to their place of destination, and of supporting them until they can procure employment, being read,

The House accordingly resolved itself into the said Committee.

Mr. D. McDonald took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Bill reported amended.

And Mr. D. McDonald reported, that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House, whenever it shall be pleased to receive the same.

Ordered—That the Report be received to-morrow.

At 5 o’clock, Mr. Speaker declared the House adjourned until 7 o’clock, P. M.

Luna, 13^o dic Septembris ;

7 o’clock, P. M.

House in Com. on
repealing Education
Act of U. C.

The Order of the day for the House in Committee to take into consideration the expediency of repealing an Act of the Legislature of the late Province of Upper Canada, passed in the 2d year of Her Majesty’s Reign, intituled “*An Act to provide for the advancement of Education in this Province.*” being read,

The House accordingly resolved itself into the said Committee.

Mr. McLean took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Resolution reported.

And Mr. McLean reported, that the Committee had come to a Reso-

lution, which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:—

Resolved—That it is expedient to repeal an Act of the Legislature of the late Province of *Upper Canada*, passed in the 2d year of Her Majesty's Reign, intituled "*An Act to provide for the advancement of Education in this Province.*"

Resolution.

Ordered—That Mr. *Roblin* have leave to bring in a Bill to make temporary provision for the appropriation of the funds derived from the sale of School Lands in that part of the Province formerly *Upper Canada*, and for other purposes.

Bill to appropriate School Funds in Canada W. brought in.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time.

Ordered—That the said Bill be read a second time to-morrow.

The Order of the day for the House in Committee on the third Report of the Special Committee on the contingent accounts and other expenses of the present Session, and other references, being read,

House in Com. on 3rd Rep. of Com. on Contingencies.

The House accordingly resolved itself into the said Committee.

Mr. *Buchanan* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Buchanan* reported, that the Committee had come to several Resolutions, which he was directed to submit to the House whenever it shall be pleased to receive the same.

Resolutions reported.

Ordered—That the Report be received to-morrow.

The Order of the day for the House in Committee on the Bill to repeal and amend, in part, certain Acts, and a certain Ordinance therein mentioned, and to extend the powers, and increase the funds, of the Corporation of the *Trinity House of Quebec*; and on the Petition of the Masters and Owners of *British Ships* trading to the Port of *Quebec*, and of the Pilots of the River *St. Lawrence*, being read,

House in Com. on Quebec Trinity House Bill, and on Petition of Masters of Ships, and Pilots on St. Lawrence.

The House accordingly resolved itself into the said Committee.

Mr. *Hopkins* took the chair of the Committee and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Hopkins* reported that the Committee had gone through the Bill, and had made several amendments thereto, which he was directed to report to the House whenever it shall be pleased to receive the same.

Bill reported amended.

Ordered—That the Report be received to-morrow.

On motion of Mr. *Morin*, seconded by Captain *Steele*,

Ordered—That the Orders of the day that have not been disposed of be postponed until to-morrow, and that they be then the first Orders of the day.

Remaining Orders postponed.

Then on motion of Mr. *Morin*, seconded by the Honourable Mr. *Viger*,

The House adjourned.

Martis, 14^o die Septembris;

Anno 5^o Victoriae Reginae, 1841.

The following Petitions were severally brought up, and laid on the table:—

Petitions brought up.

By Mr. *Buchanan*—The Petition of Messrs. *Freeland* and *Taylor*, and others, Soap and Candle Manufacturers, of *Toronto*.

Freeland and Taylor, & others.

- C. P. Treadwell, and others
James Lee, & others.
- By Mr. Solicitor General *Day*—The Petition of *Charles P. Treadwell*, Esquire, and others, Members of the *Ottawa* District Bible Society; and the Petition of *James Lee*, and others, Members of the Agricultural Society, *Missisquoi*.
- Niagara District Bank Bill passed
- An Engrossed Bill to incorporate sundry persons under the style and title of the President Directors and Company of the Bank of the *Niagara* District, was read for the third time.
Resolved—That the Bill do pass.
Ordered—That Mr. *Herritt* do carry the said Bill to the Legislative Council, and desire their concurrence.
- Quebec Bank charter extension Bill, passed.
- An Engrossed Bill to extend the Charter of the *Quebec* Bank, was read for the third time.
Resolved—That the Bill do pass.
Ordered—That Mr. *Black* do carry the said Bill to the Legislative Council, and desire their concurrence.
- Petition of *Freeland* and *Taylor*, & others, read.
- On motion of Mr. *Buchanan*, seconded by Mr. *Thorburn*.
Ordered—That the Petition of Messrs. *Freeland* and *Taylor*, and others, Soap and Candle manufacturers, of *Toronto*, praying that a duty may not be imposed upon Tallow imported from the *United States* be now read, and that the rule of this House of the 28th of *June* last, be dispensed with as to the present Petition.
The said Petition was read accordingly.
Ordered—That the said Petition be referred to the Committee of the whole House on the Bill for imposing duties on Agricultural and other Produce, and Stock, imported into this Country from the *United States of America*.
- Petition referred to Com. of whole on Bill for taxing imported produce.
- Mr. *Aylwin*, from the Special Committee appointed to enquire into the manner according to which the Customs are collected, in that part of this Province heretofore *Upper Canada*, by the Provincial Collectors; and also the manner according to which, the moneys collected are accounted for by the Collectors; and also to enquire into any abuses in the collecting and accounting of the Customs,—presented to the House the report of the said Committee, which was again read at the Clerk's table, and is as followeth:—
For the said Report see Appendix (V. V.)
- Com. on collection of Customs in Canada W. report
- Report concurred in.
- Resolved*—That this House doth concur with the Special Committee in the said report.
- Address to His Excellency to appoint Commissioner on collection of the Customs in Canada West, ordered.
- On motion of Mr. *Aylwin*, seconded by Mr. *Thorburn*.
Resolved—That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to appoint a fit and proper person to be a Commissioner for investigating the mode now adopted in the collection of the revenue in that part of this Province, heretofore *Upper Canada*, for enquiring into any abuses which may exist in the system now pursued, and for suggesting the necessary remedies for removing all existing abuses, and the introduction of a sound and wholesome system.
Ordered—That the said Address be presented to His Excellency, by such Members of this House as are of the Honorable the Executive Council of this Province.
- Com on Petition of J. Crooks, report.
- Mr. *Merritt*, from the Select Committee to which was referred the Petition of *James Crooks*, of *West Flamborough*, presented to the House the

report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

“The Petition having been presented at so late a period of the Session, your Committee are of the opinion, that time will not admit of its receiving that consideration which the importance of the subject merits—and they are of the opinion, it would be injudicious to bring the subject under the consideration of Your Honorable House until the next Session of the Legislature.”

Mr. *Burnet*, from the Special Committee to which was referred the Petition of *J. W. Woolsey*, Esquire, and others, of the City of *Quebec*, presented to the House the report of the said Committee, which was again read at the Clerk's table.

Com. on Petition of
J. W. Woolsey &
others, report.

For the said Report, See Appendix (N. N.)

Ordered—That 200 copies of the said Report and evidence be printed, in each of the *English* and *French* languages, for the use of the Members of this House.

200 copies of report to
be printed, in each
language.

Mr. *Morin*, from the Select Committee to which was referred the Petition of *Joseph Edouard Turcotte*, Esquire, Representative of the County of *St. Maurice*, presented to the House the Report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

Com. on Petition of *J.*
E. Turcotte, Esq. re-
port.

“Your Committee, after having taken into consideration the Petition of *J. E. Turcotte*, Esquire, the Member representing the County of *St. Maurice*, the evidence given on the contestation of his Election, and all the circumstances under which the contestation was begun, continued, and ended, are unanimously of opinion that the allegations of the Petition are true, and more especially the following:—

Report.

That there are manifest contradictions in the evidence given by the Returning Officer, which justified the Petitioner in thinking that this evidence would be utterly rejected, more especially as it had been contradicted by a witness worthy of credit:—

That if the Petitioner brought forward only one witness, he was induced to refrain from bringing others forward solely by the evident and distinctly expressed wishes of the great number of the Members of your Honourable House.

Your Committee have also every reason to believe, that, but for the respect and deference shewn by the Petitioner to the wish expressed as aforesaid by a great number of the Members of your Honourable House, it would have been in his power, not only to contradict by his witnesses (as he had already done by one of them) the evidence of the Returning Officer, but that he could also have established, that far from having sought to withdraw himself from the presence or observance of the Returning Officer, in order to make the declaration of qualification, he requested that Officer to come with him to the Hustings to bear witness to his taking it, and that this Officer, alleging that he did not understand *English*, directed the Clerk to attend the Petitioner, which he actually did, and that when the declaration was thus made, under the very eyes of the Clerk, who perfectly understood *English*, the Returning Officer asked him whether every thing had been properly done, to which the Clerk answered, all was correct.

Your Committee are also of opinion that the said Returning Officer has himself proved that he was incapable of discharging the important duties which the law imposed on him during the election in question, and that if, as your Honorable House has decided, the Petition of the electors of the County of *St. Maurice*, was not frivolous or vexatious, as

far as they were concerned, it was certainly so as regarded the Member representing the said County, and your Committee have every reason to believe that the Petition could never have been made if the Returning Officer had been competent to the discharge of his duty.

Your Committee have also to declare, that the Petitioner offered to adduce evidence to prove the truth of the allegations of his Petition, but that your Committee considering, in the first place, that there was no reason for doubting the truth of the said allegations, and then that the expenses to be incurred in bringing witnesses forward, would be as heavy as those already incurred, did not deem it advisable to accept the said offer; your Committee are therefore unanimously of opinion, that your Honourable House will only do an act of justice in granting the prayer of the Petitioner; and considering that your Honourable House has constitutionally the right of paying witnesses summoned to appear at the bar, as well as the costs of summoning them, and that the exercise of this right, supported as it is, by several Precedents, even in cases of contested elections, in the late Province of *Lower Canada*, would, in the present case, be no more than an act of justice, your Committee have therefore unanimously agreed to the following resolution.

Resolved—That the accounts of the witnesses summoned by this House to appear at the Bar, and who did, in consequence of being so summoned, appear thereat, on the part of *J. E. Turcotte*, Esquire, on the contestation of his election for the County of *St. Maurice*, and also the expenses incurred in summoning such witnesses, and on the return to such summons, be taxed by the Clerk of this House, and paid by him out of the monies in his hands for defraying contingencies of this House, as soon as such taxation shall have been approved by the Speaker.”

Ordered—That the said report be referred to a Committee of the whole House at the evening sitting of this day.

On motion of Mr. *Merritt*, seconded by Mr. *Morris*,

Ordered—That the Order of the day for the House in Committee on the report of the Special Committee to which was referred the report of the Commissioners of the Provincial Steam Dredging Machine, and other references, be discharged.

Ordered—That the report of the Special Committee to which was referred the report of the Commissioners of the Provincial Steam Dredging Machine, be referred to the Committee of the whole on supply, and other references.

Mr. *Williams*, chairman of the Committee appointed to try the merits of the Petition of *Robert Melville* and *John McBride*, electors of the Town of *Niagara*, complaining of the undue election and return of *Edward Clarke Campbell*, Esquire, sitting Member for the said Town of *Niagara*, reported to the House that the said Committee met this morning at 10 o'clock, A. M. pursuant to adjournment, and were unable to proceed to business in consequence of the absence of Messieurs *Hale* and *Chesley*.

Mr. *Johnston* moved, seconded by Mr. *Sherwood*,

That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to dissolve the present Parliament, instead of proroguing the same, for the purpose of ascertaining the well known wishes of the electors of the Province of *Canada*, under the new Election Law of the Province.

The question having been put upon the said motion, a division ensued and the names being called for, they were taken down as followeth:—

YEAS.

Aylwin,
Barthe,

Burnet,
Durand,

Johnston,
McNab, Sir A. N. Sherwood.—8.

Smith, (Went.)

Report referred to Com. of whole this evening.

Order for House in Com. on Report on Steam Dredge discharged.

And Report referred to Com. of supply

Chairman of Com. on Niagara Election reports absence of certain Members.

Motion for Address to His Excellency to dissolve Parliament.

NOES.

<i>Black,</i>	<i>Dunn, Hon. J. H.</i>	<i>Moore,</i>	<i>Taché,</i>
<i>Buchanan,</i>	<i>Foster,</i>	<i>Morris,</i>	<i>Taschereau,</i>
<i>Cameron,</i>	<i>Gilchrist,</i>	<i>Neilson,</i>	<i>Thompson,</i>
<i>Campbell,</i>	<i>Harrison, Hon. S. B.</i>	<i>Parent,</i>	<i>Thorburn,</i>
<i>Christie,</i>	<i>Hincks,</i>	<i>Parke,</i>	<i>Viger, Hon. D. B.</i>
<i>Cook,</i>	<i>Hopkins,</i>	<i>Powell,</i>	<i>Williams,</i>
<i>Daly, Hon. D.</i>	<i>Killaly, Hon. H. H.</i>	<i>Raymond,</i>	<i>Woods,</i>
<i>Day, Hon. C. D.</i>	<i>McLean,</i>	<i>Roblin,</i>	<i>Yule.—35.</i>
<i>Dunlop,</i>	<i>Merritt,</i>	<i>Steele,</i>	

So it passed in the Negative.

Motion lost.

On motion of Mr. *Merritt*, seconded by the Honourable Mr. *Dunn*,
Ordered—That the Order of this House of the 26th of *August* last, referring the second Report of the Select Committee appointed to examine into the prices paid, and the methods adopted, for the transit of products on the different communications within this Province, and to which was referred the Message of His Excellency, the Governor General, in answer to the Address of this House of the 14th of *July* last, on the subject of an Address of the House of Assembly of *Upper Canada* relating to the introduction of the products of the Province into the Ports of *Great Britain*, free of duty—to the Committee of the whole House, to take into consideration the Message of His Excellency, the Governor General, relating to public improvements, together with the documents relating thereto—be discharged; and that this House do, to-morrow, resolve itself into a Committee of the whole House on the said report.

Order referring 2nd Report on transit of products discharged.

Report referred to Com. of whole to-morrow.

On motion of Mr. *Merritt*, seconded by Mr. *Cameron*,
Resolved—That an humble Address be presented to His Excellency, the Governor General, informing His Excellency that this House hath voted an humble Address to Her Majesty, on the subject of the admission of the products of *Canada* into the Ports of *Great Britain*, free from duty; and praying that His Excellency would be pleased to transmit the said Address to Her Majesty's Government in *England*, to be laid at the foot of the Throne.

Address to His Excellency to transmit Address to Her Majesty on admitting Canadian produce into Great Britain free of duty, ordered.

Ordered—That the said Address be engrossed.

Ordered—That the said Address to His Excellency, the Governor General, and also the Address of this House to Her Majesty, be presented to His Excellency by such members of this House as are of the Honourable the Executive Council of this Province.

Sir *Allan MacNab* moved, seconded by Mr. *Buchanan*, for leave to take up the order of the day for the House in Committee on the Report of the Select Committee to which was referred the Petition of *J. S. Baldwin*, and others, citizens of *Toronto*.

Motion to take up order for House in Com. on Report on Petition of J. S. Baldwin & others.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:—

YEAS.

<i>Aylwin,</i>	<i>Dunn, Hon. J. H.</i>	<i>Morin,</i>	<i>Price,</i>
<i>Barthe,</i>	<i>Durand,</i>	<i>Neilson,</i>	<i>Taché,</i>
<i>Black,</i>	<i>McNab, Sir A. N.</i>	<i>Parent,</i>	<i>Viger, Hon. D. B.</i>
<i>Buchanan,</i>			(13).

NOES.

<i>Burnet,</i>	<i>Hincks,</i>	<i>Parke,</i>	<i>Sherwood,</i>
<i>Cameron,</i>	<i>Hopkins,</i>	<i>Powell,</i>	<i>Steele,</i>
<i>Christie,</i>	<i>Killaly, Hon. H. H.</i>	<i>Raymond,</i>	<i>Thompson,</i>
<i>Cook,</i>	<i>McDonald, (Glen.)</i>	<i>Roblin,</i>	<i>Thorburn,</i>
<i>Day, Hon. C. D.</i>	<i>McLean,</i>	<i>Simpson,</i>	<i>Williams,</i>
<i>Foster,</i>	<i>Moore,</i>	<i>Smith, (Front.)</i>	<i>Woods,</i>
<i>Gilchrist,</i>	<i>Morris,</i>	<i>Smith, (Went.)</i>	<i>Yule.—30.</i>
<i>Harrison, Hon. S. B.</i>	<i>Ogden, Hon. C. R.</i>		

Motion lost.

So it passed in the Negative.

Chairman of Com. of whole on Bill to regulate Customs Duties, reports amendments to Bill

Mr. *Aylwin*, from the Committee of the whole House on the Bill to repeal certain Acts therein mentioned, and to consolidate the laws relating to the Provincial duties to be levied on goods, wares and merchandize imported into this Province, reported, according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table.

Ordered—That the question of concurrence be now separately put upon the said amendments.

1st. to 18th amendments agreed to.

And the first to the eighteenth of the said amendments, inclusive, being again severally read, and the question of concurrence being separately put thereon, they were agreed to by the House.

19th amendment put.

The nineteenth of the said amendments being again read, and the question of concurrence being put thereon, a division ensued, and the names being called for, they were taken down as followeth:—

YEAS.

<i>Cameron,</i>	<i>Hincks,</i>	<i>Ogden, Hon. C. R.</i>	<i>Small,</i>
<i>Campbell,</i>	<i>Hopkins,</i>	<i>Parent,</i>	<i>Smith, (Went.)</i>
<i>Daly, Hon. D.</i>	<i>Killaly, Hon. H. H.</i>	<i>Parke,</i>	<i>Steele,</i>
<i>Day, Hon. C. D.</i>	<i>McNab, Sir A. N.</i>	<i>Powell,</i>	<i>Thompson,</i>
<i>Foster,</i>	<i>McLean,</i>	<i>Raymond,</i>	<i>Watts,</i>
<i>Gilchrist,</i>	<i>Merritt,</i>	<i>Simpson,</i>	<i>Woods.—26.</i>
<i>Harrison, Hon. S. B.</i>	<i>Morin,</i>		

NOES.

<i>Aylwin,</i>	<i>Burnet,</i>	<i>McDonald, (Glen.)</i>	<i>Taché,</i>
<i>Baldwin,</i>	<i>Cook,</i>	<i>Neilson,</i>	<i>Thorburn,</i>
<i>Barthe,</i>	<i>Dunlop,</i>	<i>Roblin,</i>	<i>Viger, Hon. D. B.</i>
<i>Black,</i>	<i>Durand,</i>	<i>Smith, (Fron.)</i>	<i>Yule.—19.</i>
<i>Buchanan,</i>	<i>Johnston,</i>	<i>Sherwood,</i>	

Carried.

So it was carried in the Affirmative.

20th & 21st amendments carried.

The twentieth and twenty first of the said amendments, being again severally read, and the question of concurrence being separately put thereon, a division ensued on each, and they were carried in the Affirmative.

22nd amendment put.

The twenty second of the said amendments being read, and the question of concurrence being put thereon, a division ensued, and the names being called for, they were taken down as followeth:—

YEAS.

<i>Baldwin,</i>	<i>Daly, Hon. D.</i>	<i>Gilchrist,</i>	<i>McNab, Sir A. N.</i>
<i>Buchanan,</i>	<i>Day, Hon. C. D.</i>	<i>Harrison, Hon. S. B.</i>	<i>McDonald, (Pres.)</i>
<i>Cameron,</i>	<i>Dunlop,</i>	<i>Hincks,</i>	<i>McDonald, (Glen.)</i>
<i>Campbell,</i>	<i>Durand,</i>	<i>Hopkins,</i>	<i>McLean,</i>
<i>Cartwright,</i>	<i>Foster,</i>	<i>Killaly, Hon. H. H.</i>	<i>Merritt,</i>

<i>Morin,</i>	<i>Price,</i>	<i>Small,</i>	<i>Steele,</i>
<i>Morris,</i>	<i>Raymond,</i>	<i>Smith, (Fron.)</i>	<i>Thompson,</i>
<i>Ogden, Hon. C.R.</i>	<i>Robertson,</i>	<i>Smith, (Went.)</i>	<i>Thorburn,</i>
<i>Parke,</i>	<i>Roblin,</i>	<i>Sherwood,</i>	<i>Watts.—38.</i>
<i>Powell,</i>	<i>Simpson,</i>		

NOES.

<i>Aylwin,</i>	<i>Burnet,</i>	<i>Johnston,</i>	<i>Taché,</i>
<i>Barthe,</i>	<i>Cook,</i>	<i>Neilson,</i>	<i>Viger, Hon.D.B.</i>
<i>Black,</i>			(9).

So it was carried in the Affirmative.

The residue of the said amendments being again severally read, and the question of concurrence being separately put thereon they were agreed to by the House.

Carried.
Remaining amendments agreed to.

The Honourable Mr. *Harrison* moved, seconded by Mr. Attorney General *Ogden*,

Motion that Bill be engrossed.

That the said Bill, as amended, be engrossed.

Mr. *Merritt* moved, seconded by Mr. *Neilson*,

Amendment moved.

That all the words after "That" in the said motion be struck out, and the following substituted—"the said Bill be recommitted, for the purpose of appropriating the additional two and one half per cent duty, created by this Bill, exclusively for the repayment of the debt hereafter to be borrowed for the construction of the various Public Works, authorized during the present Session, and for no other purpose."

The question having been put upon the motion of amendment, a division ensued, and the names being called for, they were taken down, as followeth :—

YEAS.

<i>Aylwin,</i>	<i>Burnet,</i>	<i>Merritt,</i>	<i>Price,</i>
<i>Baldwin,</i>	<i>Christie,</i>	<i>Morin,</i>	<i>Thorburn,</i>
<i>Barthe,</i>	<i>Durand,</i>	<i>Neilson,</i>	<i>Viger, Hon.D.B.</i>
<i>Black,</i>			(14).

NOES.

<i>Buchanan,</i>	<i>Gilchrist,</i>	<i>McLean,</i>	<i>Simpson,</i>
<i>Cameron,</i>	<i>Harrison, Hon.S.B.</i>	<i>Morris,</i>	<i>Small,</i>
<i>Campbell,</i>	<i>Hincks,</i>	<i>Ogden, Hon. C. R.</i>	<i>Smith, (Fron.)</i>
<i>Cartwright,</i>	<i>Hopkins,</i>	<i>Parke,</i>	<i>Smith, (Went.)</i>
<i>Cook,</i>	<i>Johnston,</i>	<i>Powell,</i>	<i>Steele,</i>
<i>Daly, Hon. D.</i>	<i>Killaly, Hon.H.H.</i>	<i>Quesnel,</i>	<i>Thompson,</i>
<i>Day, Hon. C. D.</i>	<i>McNab, Sir A.N.</i>	<i>Raymond,</i>	<i>Watts,</i>
<i>Dunlop,</i>	<i>McDonald, (Pres.)</i>	<i>Robertson,</i>	<i>Yule.—35.</i>
<i>Foster,</i>	<i>McDonald, (Glen.)</i>	<i>Roblin,</i>	

So it passed in the Negative.

Amendment lost.

Mr. *Aylwin* moved, seconded by Mr. *Christie*,

That the further consideration of the main motion be postponed until to-morrow.

Motion to postpone question till to-morrow.

The question having been put, a division ensued, and it passed in the Negative.

Motion lost.

The question being then put upon the main motion, it was agreed to by the House, and—

Main motion carried.

Ordered—That the said Bill, as amended, be engrossed.

An engrossed Bill to repeal certain Acts therein mentioned, and to consolidate the Laws relating to the Provincial duties, to be levied on

Bill to regulate Customs Duties passed.

goods, wares, and merchandize, imported into this Province, was read the third time.

Resolved—That the Bill do pass.

Ordered—That the Honourable Mr. *Harrison* carry the said Bill to the Legislative Council, and desire their concurrence.

Chairman of Com. of whole on Common School Bill, reports amendments to Bill.

Mr. *J. S. MacDonald* from the Committee of the whole House on the Bill to repeal certain, Acts therein mentioned, and to make provision for the establishment and maintenance of Common Schools throughout this Province and other references, reported, accordingly to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Motion to expunge 16th clause of Bill.

Mr. *Neilson* moved, seconded by Mr. *Christie*,

That the sixteenth Clause of the said Bill be struck out.

The question having been put upon the said motion a division ensued, and the names being called for, they were taken down, as followeth :—

YEAS.

Cartwright, *Neilson*, *Viger*, Hon. D. B.—3.

NOES.

<i>Baldwin</i> ,	<i>Durand</i> ,	<i>Morris</i> ,	<i>Smith</i> , (<i>Fron.</i>)
<i>Buchanan</i> ,	<i>Foster</i> ,	<i>Parent</i> ,	<i>Smith</i> , (<i>Went.</i>)
<i>Cameron</i> ,	<i>Harrison</i> , Hon. S. B.	<i>Parke</i> ,	<i>Steele</i> ,
<i>Campbell</i> ,	<i>Hincks</i> ,	<i>Poicell</i> ,	<i>Taché</i> ,
<i>Cook</i> ,	<i>Hopkins</i> ,	<i>Price</i> ,	<i>Thompson</i> ,
<i>Daly</i> , Hon. D.	<i>McDonald</i> , (<i>Pres.</i>)	<i>Raymond</i> ,	<i>Thorburn</i> ,
<i>Day</i> , Hon. C. D.	<i>McDonald</i> , (<i>Glen.</i>)	<i>Robertson</i> ,	<i>Watts</i> ,
<i>Dunlop</i> ,	<i>McLean</i> ,	<i>Roblin</i> ,	<i>Williams</i> ,
<i>Dunn</i> , Hon. J. H.	<i>Morin</i> ,	<i>Simpson</i> ,	<i>Yule</i> .—36.

Motion lost.

So it passed in the Negative.

Motion that Bill be engrossed.

Mr. Solicitor General *Day* moved, seconded by Mr. *Parke*.

That the said Bill, as amended be engrossed.

Amendment moved.

The Honourable Mr. *Viger* moved in amendment, seconded by Mr.

Barthe,

That all the words after "That" in the said motion be struck out, and the following substituted "400 Copies of the said Bill be printed in the *French* and *English* languages, for the use of the Members of this House."

Lost.

The question having been put upon the motion of amendment, a division ensued, and it passed in the Negative.

Main motion carried.

The question being then put upon the main motion, it was agreed to by the House, and—

Ordered—That the said Bill, as amended, be engrossed.

Common School Bill passed.

An engrossed Bill to repeal certain Acts therein mentioned, and to make provision for the establishment and maintenance of Common Schools throughout this Province, was read for the third time.

Resolved—That the Bill do pass.

Ordered—That Mr. Solicitor General *Day*, do carry the said Bill to the Legislative Council, and desire their concurrence.

Chairman of Com. of whole on indigent Emigrants fund Bill reports amendments to Bill.

Mr. *D. McDonald*, from the Committee of the whole House on the Bill for creating a fund for defraying the expense of enabling indigent Emigrants to proceed to their place of destination, and of supporting them until they can procure employment, reported, according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Bill engrossed.

Ordered—That the said Bill, as amended, be engrossed.

An engrossed Bill to create a fund for defraying the expense of enabling indigent Emigrants to proceed to their place of destination, and of supporting them until they can procure employment was read for the third time.

Resolved—That the Bill do pass.

Ordered—That Mr. *Parke* do carry the said Bill to the Legislative Council, and desire their concurrence.

Mr. *Hopkins*, from the Committee of the whole House on the Bill to repeal and amend, in part, certain Acts, and a certain Ordinance, therein mentioned, and to extend the powers, and increase the funds, of the Corporation of the *Trinity House of Quebec*, reported, according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered—That the said Bill as amended be engrossed.

An engrossed Bill to repeal and amend, in part, certain Acts, and a certain Ordinance, therein mentioned, and to extend the powers, and increase the funds, of the Corporation of the *Trinity House of Quebec*, was read for the third time.

Resolved—That the Bill do pass.

Ordered—That the Honourable Mr. *Daly* do carry the said Bill to the Legislative Council, and desire their concurrence.

Mr. *Buchanan*, from the Committee of the whole House on the third Report of the Special Committee on the contingent accounts, and other expenses of the present Session, reported, according to order, the Resolutions of the said Committee, which Resolutions were again read at the Clerk's table, and are as followeth :—

Resolved—That the sum of fifty nine pounds, ten shillings, be paid to *Alfred Todd*, and the like sum of fifty nine pounds, ten shillings, be paid to *Thaddeus Patrick*, to make their salaries for the past year, as Clerks in the Office of the Clerk of the late Assembly of *Upper Canada*, up to £200.

Resolved—That the sum of twenty seven pounds, ten shillings, be paid to *P. A. Weilbrenner* to remunerate him for his services in taking evidence on the Election of *Olivier Berthelot*, Esquire.

Resolved—That the sum of thirty two pounds, five shillings, be allowed to *André Jobin*, Esquire, to remunerate him for his services as Commissioner for taking evidence on the Election of *Olivier Berthelot*, Esquire, in 1833.

Resolved—That the sum of two hundred pounds currency be paid to *Alpheus Todd*, to remunerate him for his labor and research in compiling "The Practice and Privileges of the two Houses of Parliament."

Resolved—That the sum of eight hundred and ninety four pounds, thirteen shillings, and eleven pence, be paid to *Etienne Parent*, Esquire, in full of all claims for his services as Law Clerk to the House of Assembly of the late Province of *Lower Canada*.

Resolved—That the sum of ten pounds be paid to each of the under-mentioned Messengers, in full of all claims of every description up to the commencement of the present Session ; viz : *Robert Defrie's*, *John Fenwick*, *William Dixon*, *John Kay*, and *Michael McCarty*.

Resolved—That the sum of one hundred and twenty pounds, three shillings, and eight pence, be placed in the hands of the Clerk of this House, to enable him to pay the several accounts detailed in the third report of the select Committee on the contingent expenses of the present Session.

Ordered—That the question of concurrence be now separately put upon each of the said Resolutions.

Chairman of Com. of whole on Quebec Trinity House Bill, reports amendments to Bill.

Bill read 3rd time.

Bill passed.

Chairman of Com. of whole on 3rd Report of Com. on contingencies, reports Resolutions.

1st Resolution : £59 10s. each, to A. Todd and T. Patrick.

2nd Resolution : £27 10s. to P. A. Weilbrenner.

3rd Resolution : £32 5s, to A. Jobin.

4th Resolution : £200 to Alpheus Todd, for a certain Parliamentary work.

5th Resolution : £894 13s. 11d. to E. Parent, as Law Clerk to Assembly of L. C.

6th Resolution : £10 each to certain Messengers.

7th Resolution : £120 3s. 8d. to pay certain accounts.

1st to 4th Resolutions agreed to.

And the first to the fourth of the said Resolutions inclusively, being again severally read, and the question of concurrence being separately put thereon, they were agreed to by the House.

5th Resolution put—
(£891 13s. 11d to E. Parent.)

The fifth of the said Resolutions being read.

Amendment moved
(to insert £773 4s. 1½l. instead.)

The Honourable Mr. *Viger* moved, in amendment, seconded by Mr. *Williams*,

That the words "eight hundred and ninety four pounds, thirteen shillings, and eleven pence," be struck out of the said Resolution, and the words "seven hundred and seventy three pounds four shillings, and one penny half penny," be substituted.

Amendment carried.

The question having been put upon the motion of amendment, a division ensued, and it was carried in the Affirmative.

Resolution. as amended, carried.

And the question being then put upon the said Resolution, as amended, it was agreed to by the House.

6th and 7th Resolutions agreed to.

The sixth and seventh resolutions being again severally read, and the question of concurrence being separately put thereon, they were agreed to by the House.

Bill to indemnify C. Leggo, read 2nd time.

A Bill to authorize the payment of a certain sum of money to *Christopher Leggo*, was, according to Order, read a second time.

Ordered—That the said Bill be engrossed.

Bill read 3rd time.

An engrossed Bill to authorize the payment of a certain sum of money to *Christopher Leggo*, was read for the third time.

Mr. *Morris* moved, seconded by Mr. *Thorburn*, that the Bill do pass.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down, as followeth :

YEAS.

<i>Black,</i>	<i>Durand,</i>	<i>Killaly, Hon. H.H. Robertson,</i>
<i>Buchanan,</i>	<i>Foster,</i>	<i>Merritt,</i>
<i>Burnet,</i>	<i>Gilchrist,</i>	<i>Morris,</i>
<i>Cameron,</i>	<i>Harrison, Hon. S.B. Powell,</i>	<i>Sherwood,</i>
<i>Campbell,</i>	<i>Hincks,</i>	<i>Steele,</i>
<i>Daly, Hon. D.</i>	<i>Hopkins,</i>	<i>Thompson,</i>
		<i>Raymond,</i>
		<i>Thorburn.—24.</i>

NOES.

<i>Barthe,</i>	<i>Christie,</i>	<i>Morin,</i>	<i>Viger, Hon. D.B.</i>
<i>Cartwright,</i>	<i>Dunn, Hon. J. H.</i>	<i>Taschereau,</i>	(7).

Bill passed.

So it was carried in the Affirmative.

Resolved—accordingly.

Ordered—That Mr. *Morris* do carry the said Bill to the Legislative Council, and desire their concurrence.

Bill to regulate taking of security (L. Coun) passed.

"An engrossed Bill from the Legislative Council, intituled "*An Act to regulate the taking of securities in all offices in respect of which security ought to be given, and for avoiding the grant all such Offices in the event of such security not being given within a limited time after the grant of such Office*", was, according to order, read for the third time.

Resolved—That the Bill do pass.

Ordered—That Mr. *Cartwright* do carry back the said Bill to the Legislative Council, and acquaint their honors that this House hath passed the same without any amendment.

Bill to appropriate School Funds in U.C. read 2nd time.

A Bill to make temporary provision for the appropriation of the funds derived from the sale of School lands in that part of this Province formerly

Upper Canada, and for other purposes, was, according to order, read a second time.

Ordered—That the said Bill be now referred to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. *Woods* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Woods* reported that the Committee had gone through the said Bill and had made several amendments thereto, which he was directed to report to the House whenever it shall be pleased to receive the same.

Ordered—That the report be received to-morrow.

The Order of the day for the House in Committee on the Resolutions of the Legislative Council, relating to the Library of the Legislative Council of the late Province of *Lower Canada*, together with a moiety of books belonging to the Legislature of *Upper Canada*, communicated to this House by Message, on the 29th day of *July* last, and on the instruction given to the said Committee, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Christie* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Christie* reported that the Committee had come to a Resolution, which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth:—

Resolved—That this House doth concur in the Resolution of the Legislative Council passed on the 29th of *July* last, and communicated to this House by Message, recommending the appointment of a joint Committee to enquire into and report to the respective Houses the number of volumes belonging to the late Legislature of *Upper Canada*, and how they may most properly be divided between the two Houses.

Resolved—That a Committee of four Members be appointed to carry the said Resolution into effect.

Ordered—That Mr. *Quesnel*, Mr. *Neilson*, Mr. *Morin* and Sir *Allan MacNab*, do compose the said Committee.

Resolved—That the said Resolution be communicated, by Message, to the Legislative Council, for the information of their Honours.

Ordered—That Mr. *Quesnel* do carry the said Message to the Legislative Council.

Mr. *Neilson* moved, seconded by Mr. *Baldwin*,

That it be an instruction to the Committee named on the part of this House to enquire into the expediency of making a selection of such Books as were in the Libraries of the Legislative Council and Assembly of the late Province of *Lower Canada*, as are not necessary to form the Libraries of the Legislative Council and Assembly of the Province of *Canada*, with a view to restore the books so selected, or retain them at *Quebec*, to be preserved in the Library of the late Legislative Assembly there.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:—

YEAS.

<i>Aylwin,</i>	<i>Campbell,</i>	<i>Harrison, Hon. S.B. Merritt,</i>
<i>Baldwin,</i>	<i>Christie,</i>	<i>Hincks, Morin,</i>
<i>Barthe,</i>	<i>Cook,</i>	<i>Killaly, Hon. H.H. Neilson,</i>
<i>Black,</i>	<i>Day, Hon. C. D.</i>	<i>McNab, Sir A.N. Parent,</i>
<i>Burnet,</i>	<i>Dunn, Hon. J.H.</i>	<i>McDonald, (Pres.) Parke</i>

House in Com. on the Bill.

Bill reported amended

House in Com. on Resolutions of L. Coun. on Library.

Resolution reported.

Resolution.

Committee appointed on dividing Library between the two Houses. Res. to be communicated to L. Coun.

Motion for an instruction to the Com.

	<i>Price,</i> <i>Raymond,</i> <i>Robertson,</i> <i>Roblin,</i>	<i>Ruel,</i> <i>Small,</i> <i>Steele,</i> <i>Tuché,</i>	<i>Taschereau,</i> <i>Thorburn,</i> <i>Viger, Hon. D.B.</i>	<i>Watts,</i> <i>Woods,</i> <i>Yule.—34.</i>
	NOES.			
	<i>Dunlop,</i> <i>Foster,</i>	<i>Johnston,</i> <i>McLean,</i>	<i>Moore,</i>	<i>Thompson.—6.</i>
Carried	So it was carried in the Affirmative, and— <i>Ordered</i> —Accordingly.			
House in Com. of supply.	The Order of the day for the House in Committee on Supply, and other references, being read, The House accordingly resolved itself into the said Committee. Mr. <i>Taschereau</i> took the chair of the Committee, and after some time spent therein, Mr. Speaker resumed the chair,			
Resolutions reported.	And Mr. <i>Taschereau</i> reported, that the Committee had come to several Resolutions, which he was directed to submit to the House whenever it shall be pleased to receive the same. <i>Ordered</i> —That the Report be received to-morrow.			
House in Com. on Bill to amend Usury Laws, (L. Coun)	The Order of the day for the House in Committee on the engrossed Bill from the Legislative Council, intituled " <i>An Act to amend the Usury Laws,</i> " being read, The House accordingly resolved itself into the said Committee. Mr. <i>Price</i> took the chair of the Committee, and after some time spent therein, Mr. Speaker resumed the chair,			
Progress reported.	And Mr. <i>Price</i> reported, that the Committee had made some progress and had directed him to move for leave to sit again. <i>Ordered</i> —That the said Committee have leave to sit again to-morrow.			
Message from His Excellency.	The Honourable <i>S. B. Harrison</i> , one of Her Majesty's Executive Council, delivered to Mr. Speaker a Message from His Excellency, the Governor General, signed by His Excellency. And the said Message was read by Mr. Speaker, all the members of the House being uncovered, and is as followeth:— SYDENHAM,			
Message extending time for prorogation.	The Governor General has much pleasure in acceding to the wish of the House of Assembly, as expressed in their Address of the 13th instant, that the time for proroguing the present Session of the Provincial Parliament should be extended until <i>Friday</i> next, to enable the Legislature to get through the important measures now before them, which must otherwise be lost. Government House, Kingston, 14th September, 1841. }			
Another Message from His Excellency.	The Honourable Mr. Solicitor General <i>Day</i> , one of Her Majesty's Executive Council, delivered to Mr. Speaker, a Message from His Excellency, the Governor General, signed by His Excellency. And the said Message was read by Mr. Speaker, all the members of the House being uncovered, and is as followeth:— SYDENHAM,			
Message recommending grant of £925 for Light Houses on St Lawrence.	The Governor General recommends to the House of Assembly to make provision to enable the Government to advance the sum of:£925 for			

the erection of certain Light Houses on the River *St. Lawrence*, to be repaid out of dues on shipping, to be imposed and collected by the *Trinity House of Montreal*.

Government House, }
Kingston, 14th September, 1841. }

At 5 o'clock, Mr. Speaker declared the House adjourned until 7 o'clock, P. M.

Martis, 14^o die Septembris ;

7 o'clock, P. M.

On motion of Mr. Solicitor General *Day*, seconded by Mr. *Parke*.

Resolved—That this House do now resolve itself into a Committee of the whole House, to take into consideration the expediency of making provision for advancing the sum of £925 for the erection of certain Light Houses on the River *St. Lawrence*, to be repaid out of dues on Shipping.

House in Com. on appropriation for Light Houses on *St. Lawrence*.

The House accordingly resolved itself into the said Committee.

Mr. *Parent* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Parent* reported, that the Committee had come to a Resolution, which he was directed to submit to the House whenever it would be pleased to receive the same.

Resolution reported.

Ordered—That the Report be received to-morrow.

The Order of the day for the House in Committee to take into consideration the subject of the Message of His Excellency, the Governor General, relative to the salaries of the Honourable the Speaker of the Legislative Council, and the Honourable the Speaker of this House, and the salaries of the Officers of both Houses, and other referenccs, being read,

House in Com. on Message on salaries of the two Speakers.

The House accordingly resolved itself into the said Committee.

Mr. *Thorburn* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Thorburn* reported, that the Committee had come to a Resolution, which he was directed to report to the House, whenever it shall be pleased to receive the same; and, also, that he was directed by the Committee to move for leave to sit again.

Resolution reported.

Ordered—That the Report be received to-morrow.

Ordered—That the said Committee have leave to sit again to-morrow.

Com. to sit again to-morrow.

On motion of Mr. *Thompson*, seconded by Mr. *Cameron*,

Ordered—That the Orders of the day that have not been disposed of, be postponed until to-morrow, and that they be then the first orders of the day.

Remaining orders postponed.

Then, on motion of the Honourable Mr. *Viger*, seconded by Mr. *Baldwin*,

The House adjourned.

Mercurii, 15^o die Septembris ;

Anno 5^o Victoriae Reginae, 1841.

Mr. *Campbell* brought up the Petition of *Robert McGill*, and others of the Town of *Niagara*, in the District of *Niagara*, which was laid on the table.

Petition of R. McGill and others brought up.

Com. on Petition of
A. M. Farewell and
others present report
and Bill.

Mr. *Small*, from the Special Committee, to which was referred the Petition of *A. M. Farewell*, *Abram Butterfield*, and others, of the Townships of *Whitby* and *Darlington*, and other references, with power to report by Bill or otherwise, presented to the House the report of the said Committee, which was again read at the Clerk's table, and is as followeth :—

Report.

“ Your Committee have attentively examined the claims of both Petitions, which are for acts of incorporation for constructing Harbors at the mouths of *Black's* and *Annis's* Creeks, respectively, as also the report of the Engineer ordered by the Executive Government to survey each site, and are of opinion that it is inexpedient, at present, to incorporate both Companies, from the contiguity of each Harbor, being not much over a quarter of a mile distant from each other. From the report of the Engineer above referred to, it appears to your Committee that it would be most advisable to grant the prayer of the Petition of *John B. Warren*, and others—they have therefore prepared a Bill to incorporate a Company to construct a Harbor at the mouth of *Annis's* Creek, which they report herewith.”

Sydenham Harbor
Bill brought in.

Mr. *Small*, then presented a Bill to incorporate certain persons, therein named, under the style and title of the *Sydenham Harbour Company*, which was received, and read for the first time.

Ordered—That the said Bill be read a second time to-morrow.

Com. on Petition of
A. McDonnell report.

Mr. *Simpson*, from the Select Committee to which was referred the Petition of *Allan McDonell*, of *St. Andrew's*, in the Township of *Cornwall*, presented to the House the report of the said Committee, which was again read at the Clerk's table, and is as followeth :—

Report.

“ Your Committee have considered the said Petition, and recommend a compliance with the prayer thereof, viz : the opening of a road from *Coteau du Lac*, to the road called *Dundas* street, leading through the sixth Concession of *Lancaster*, in the *Eastern* District, where the River *Beau-dette* crosses the line formerly dividing the Provinces of *Upper* and *Lower Canada* ; but the great accumulation of business before your Honourable House, at this late period of the Session, presents too many obstacles, rendering it impossible to give effect to the measure, by Bill, this Session.

They therefore beg leave to recommend that all action in the matter be suspended, but that a Bill be admitted at the next Session of the Legislature, to carry the object desired into effect.”

Com. on Petition of
S. McKenzie and
others report.

Mr. *Durand*, from the Special Committee, to which was referred the Petition of *Simon McKenzie*, *Thomas G. Chapman*, and others, of the District of *Gore*, presented to the House the report of the said Committee, which was again read at the Clerk's table, and is as followeth :—

Report.

“ Your Committee have carefully considered the prayer of the said Petitioners, and after an attentive perusal of various Official documents, and from evidence heard before them, find that the case is not yet decided upon by the Executive Government ; but from the evidence given by several Members of the Government, your Committee are led to expect that the case will be brought to a speedy issue.

Your Committee under the circumstances, can, at the present, make no further report in the case ; but leave the matter in the hands of the Executive, fully trusting that ample justice will be done to the Petitioners, whose case is evidently one of great hardship, and one that requires that no delay may be suffered to take place in bringing it to a speedy conclusion.”

On motion of Mr. *Christie*, seconded by Mr. *Parent*.

Resolved—That an humble address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to cause enquiry to be made, whether any, and what abuses exist in the administration of justice in the Inferior District of *Gaspé*, rendering reform in the judicature thereof necessary.

Ordered—That the said address be presented to His Excellency, by such Members of this House as are of the Honourable the Executive Council of this Province.

On motion of Mr. *Aylwin*, seconded by Mr. *Buchanan*,

Ordered—That the Order of the day for the House in Committee on the Bill to provide by law for a sessional payment to members of the Legislative Assembly, be the first order of the day after receiving reports of Committees of the whole House.

Mr. *McLean* moved, seconded by Mr. *Christie*,

That an humble address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to direct the proper officer to compile a map of *Canada*, for the use of the various District officers, in the proportion of two to each District; and that this House will defray the necessary expenses of the same, at its next Session.

The question having been put upon the said motion, a division ensued, and it passed in the Negative.

Mr. *Aylwin* moved, seconded by Mr. *Parent*,

That the Commission appointed to take evidence upon the contested election and return of *George Duggan*, Esquire, the sitting member for the 2d Riding of the County of *York*, be enjoined to forbear further proceedings from and after *Friday* next, until the next meeting of Parliament.

The question having been put upon the said motion, a division ensued, and it passed in the Negative.

On motion of Mr. *Merritt*, seconded by Mr. *Gilchrist*,

Ordered—That the amendments made by the Legislative Council to the Bill intituled "*An Act to regulate the Inspection of Flour and Meal*," be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration,

And the said amendments were read, and are as followeth:—

Press 1, Line 2—Leave out from "in" to "*Canada*," inclusively in the 3d line, and insert "in the different sections of the Province."

Press 2, Line 9—After "meal," insert "and a certain Act of the Legislature of the Province of *Upper Canada*, passed in the 41st year of the reign of His Majesty King GEORGE the Third, intituled '*An Act to authorize the Governor, Lieutenant Governor, or Person Administering the Government, to appoint Inspectors of Flour, Pot, and Pearl Ashes, within this Province*,' and a certain other Act of the said Legislature, passed in the 60th year of the Reign of His Majesty King GEORGE the Third, intituled '*An Act to amend and extend the provisions of an Act passed in the 41st year of His Majesty's Reign, entitled "An Act to authorize the Governor, Lieutenant Governor, or Person Administering the Government, to appoint Inspectors of Flour, Pot, and Pearl Ashes, within this Province."*'

Press 3, Line 5—Leave out "or Hamilton."

Press 10, Line 6—Leave out "to."

Press 11, Line 13—Leave out "and," and insert "or."

Press 11, Line 13—Leave out "and," and insert "or.?"

Press 13, Line 18—Leave out "the same," and insert "any mark

Address to His Excellency for inquiry into abuses in administration of Justice in *Gaspé*.

Bill for payment of Members to be the 1st item to day.

Motion for Address to His Excellency to have a map of *Canada* compiled.

Motion lost.

Motion to stay proceedings of Commission on election for 2nd Riding of *York*.

Motion lost.

Amendments of L. Coun. to Flour and Meal Inspection Bill considered.

Amendments.

or marks purporting to be the mark or marks of the Inspector, or of the manufacturer or packer, either with the proper marking tools of such Inspector, Manufacturer or packer, or with counterfeit representations thereof."

Press 13, Line 27—After "marks," insert "and if any person in the employ of any manufacturer or packer of Four and Meal, shall hire or loan out the marks of his employer to any person whatsoever, or shall connive at, or be privy to, any fraudulent evasion of the provisions of this Act."

Amendments agreed to.

And the said amendments being again read, they were agreed to by the House.

Ordered—That Mr. *Merritt*, do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

Amendments of L. Coun. to Savings Banks Bill considered.

On motion of the Honourable Mr. *Harrison*, seconded by Mr. *Quesnel*,
Ordered—That the amendments made by the Legislative Council to the Bill intituled "*An Act to encourage the establishment of, and regulate, Savings Banks in this Province,*" be now taken into consideration.

The House proceeded, accordingly, to take the said amendments into consideration.

Amendments:

And the said amendments were read, and are as followeth:—

Press 1, Line 22—Leave out from "their" to "administrators" in in the 23rd line, inclusively.

Press 1, Line 26—Leave out "their executors or administrators."

Press 3, Line 8—Leave out "and their representatives."

Press 4, Line 5—Leave out from "their" to "administrators" in the 6th line inclusively.

Press 4, Line 49—After "their" insert "heirs."

Press 4, Line 50—Leave out "and" and insert "curators."

Press 4, Line 50—After "assigns" insert "or other legal representatives."

Press 5, Line 32—Leave out from "and" to "estate" in the 42nd line inclusively, being the *eighth* clause of the Bill.

Press 5, Line 43—Leave out the 9th clause, and insert in lieu thereof,

CLAUSE A.

"And be it enacted, that all property, rights, titles, privileges, and immunities, which shall arise or accrue to any person or persons under this Act, shall pass and descend to the heirs, executors, administrators, or assigns, of such person or persons, or to the curator of the estate, or other legal representative of such person or persons, according to the law of the part of the Province relating to real estate in which any such Savings Bank shall or may be established.

Press 7, Line 8—Leave out "or recognized."

Amendments agreed to.

And the said amendments being again read, they were agreed to by the House.

Ordered—That the Honourable Mr. *Harrison*, do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

House in Com. on 2nd Report of Com. on transit of products.

On motion of Mr. *Merritt*, seconded by Mr. *Neilson*.

Resolved—That this House do now resolve itself into a Committee of the whole House, on the second report of the Select Committee appointed to examine into the prices paid, and methods adopted, for the transit of products on the different communications within this Province; and to whom was referred the message of His Excellency, the Governor General, in answer to the address of the House of the 14th of *July* last, on the subject of an address of the House of Assembly of *Upper Canada*, relating to

the introduction of the products of the Province into the ports of Great Britain free of duty.

The House accordingly resolved itself into the said Committee.

Mr. *Gilchrist*, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Gilchrist*, reported that the Committee had come to several Resolutions, which he was directed to submit to the House whenever it shall be pleased to receive the same.

Resolutions reported.

Ordered—That the report be received to-morrow.

On motion of Mr. *Cartwright* seconded by Mr. *McLean*.

Ordered—That the engrossed Bill from the Legislative Council, intitled “*An Act to afford relief, in certain cases, to sellers of real estate in that part of this Province formerly Upper Canada,*” be now read a second time.

Bill for relief of sellers of land in Canada W. (L. Coun.) read 2nd time.

The said Bill was accordingly read a second time.

Mr. *Williams*, chairman of the Committee appointed to try the merits of the Petition of *Robert Melville* and *John McBride*, electors of the Town of *Niagara*, complaining of the undue election and return of *Edward Clarke Campbell*, Esquire, sitting member for the said Town of *Niagara*, reported to the House that the said Committee met this morning at 10 o'clock A. M., pursuant to adjournment, and were unable to proceed to business in consequence of the absence of Messrs. *Hale* and *Chesley*.

Com. on Niagara Election report absence of two members.

On motion of Mr. *Small*, seconded by Mr. *Hopkins*,

Ordered—That the Committee appointed to try the merits of the Petition of *Robert Melville* and *John McBride*, electors of the Town of *Niagara*, complaining of the undue election and return of *Edward Clarke Campbell* Esquire, sitting Member for the said Town of *Niagara*, be directed to proceed with the trial thereof, notwithstanding the absence of Messrs. *Hale* and *Chesley*, Members of the said Committee, who have obtained leave of absence from this House.

Committee directed to proceed without Messrs. Hale and Chesley.

A message from the Legislative Council, by *John Godfrey Spragge*, Esquire, Master in Chancery.

Message from L. Council.

MR. SPEAKER,

The Legislative Council have passed the following Bills without any amendment.

Bills passed L. Coun.

“*An Act to secure to, and confer upon Lewis Lyman, an Inhabitant of this Province, the Civil and Political Rights of a natural born British subject.*”

Bill to naturalize L. Lyman.

“*An Act to facilitate the negotiation of a loan in England, and for other purposes therein mentioned.*”

Loan Bill.

“*An Act for levying a certain rate, or duty, on Bank Notes, issued and in circulation in this Province.*”

Bank note duty Bill.

“*An Act to impose a duty upon Distilleries, in that part of the Province heretofore called Lower Canada.*”

Distilleries duty Bill.

“*An Act to grant certain sums, therein mentioned, to Her Majesty, towards defraying the expenditure of the Civil Government, for the year ending, the 31st day of December one thousand eight hundred and forty one.*”

Supply Bill.

“*An Act to make certain alterations in the laws, relative to the duty upon sales of property by auction.*”

Auction duty Bill.

“*An Act to continue, for a limited period, the certain Acts therein mentioned.*”

Bill to continue certain Acts.

Bill for recovery of small debts in Canada East.

“ *An Act to provide for the more easy and expeditious administration of Justice in civil cases, and matters involving small pecuniary value, in that part of this Province heretofore Lower Canada.*”

And then he withdrew.

Chairman of Com. of whole on Bill for appropriation of School Funds in Canada W., reports amendments to Bill.

Mr. *Woods*, from the Committee of the whole House on the Bill to make temporary provision for the appropriation of the funds derived from the sale of School Lands, in that part of the Province formerly *Upper Canada*, and for other purposes, reported, according to order, the amendments made by the Committee to the said Bill, which amendments were again read at the Clerk’s table, and agreed to by the House.

Ordered—That the said Bill, as amended, be engrossed.

An engrossed Bill to make temporary provision for the appropriation of the funds derived from the sale of School Lands in that part of the Province, formerly *Upper Canada*, and for other purposes, was read for the third time.

Bill passed.

Resolved—That the Bill do pass.

Ordered—That Mr. *Roblin* do carry the said Bill to the Legislative, Council, and desire their concurrence.

Chairman of Com. of supply reports Resolutions.

Mr. *Taschereau*, from the Committee on Supply, and other references reported, according to order, the Resolutions of the said Committee, which Resolutions were again read at the Clerk’s table, and are as followeth :—

1st Resolution £500 to Trustees of Victoria College

Resolved—That there be granted to Her Majesty a sum not exceeding five hundred pounds, for the purpose of affording pecuniary aid to the Trustees of *Victoria College*.

2nd Resolution. £417 4s. 2d. to D Thorburn, Esq. Steam Dredge Commissioner.

Resolved—That there be granted to Her Majesty the sum of four hundred and forty seven pounds, four shillings and two pence, to enable Her Majesty to pay the like sum to *David Thorburn*, Esquire, acting Commissioner of the Provincial Steam Dredge for the late Province of *Upper Canada*, in order that he may pay the following sums due to the undermentioned persons, for and on account of the said Dredge, as per report of Select Committee.

Messieurs <i>Lyon and Howard</i>	£125	0	0
<i>Jacob Randal</i>	29	9	3
<i>Joseph Aniseth Shleenon</i>	13	14	9
<i>David Thorburn</i>	112	15	7
<i>Francis Hall</i>	15	0	0
The <i>Port Hope</i> Harbour Co. for raising the Dredge from under water.....	39	4	7
The Commissioner, for his services to the present date.....	112	0	0

Ordered—That the question of concurrence be now separately put upon the said Resolutions.

1st Resolution carried.

And the first of the said Resolutions being again read, and the question of concurrence being put thereon, it was agreed to by the House.

2nd Resolution put

The second of the said Resolutions being again read, Mr. *Small* moved, seconded by Mr. *D. McDonald*,

Amendment moved.

That the words “The *Port Hope* Harbor Company, for raising the Dredge from under water, £39 4s. 7d.,” be struck out of the said Resolution.

Amendment lost.

The question having been put upon the said motion, a division ensued, and it passed in the Negative.

Resolution agreed to.

The question being then put upon the said second Resolution, it was agreed to by the House.

Ordered—That the Honourable Mr. *Harrison* have leave to bring in a Bill to grant a certain sum of money as an aid to the *Victoria* College.

Bill to make a grant to *Victoria* College brought in.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Ordered—That the said Bill be now read a second time.

The said Bill was accordingly read a second time.

Bill read 2nd time.

Ordered—That the said Bill be engrossed.

Ordered—That the Honourable Mr. *Harrison* have leave to bring in a Bill to appropriate a sum of money to defray certain expenses relative to the Provincial Steam Dredge, of *Upper Canada*, and for other purposes relative to the said Steam Dredge.

Bill to pay a certain sum on account of the Steam Dredge, brought in.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time.

Ordered—That the said Bill be now read a second time.

The said Bill was accordingly read a second time.

Bill read 2nd time.

Ordered—That the said Bill be engrossed.

Mr. *Parent*, from the Committee of the whole House to take into consideration the expediency of making provision for advancing the sum of nine hundred and twenty five pounds, for the erection of certain Light Houses on the River *St. Lawrence*, to be repaid out of dues on Shipping, reported, according to order, the Resolution of the said committee, which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth :—

Chairman of Com. of supply on grant for Light Houses on *St. Lawrence* reports Resolution.

Resolved—That it is expedient to make provision for advancing the sum of nine hundred and twenty five pounds for the erection of certain Light Houses on the River *St. Lawrence*, to be repaid out of dues on Shipping, to be imposed and collected by the *Trinity* House of *Montreal*.

Resolution, granting £925, to erect Light Houses on *St. Lawrence*.

Ordered—That the Honourable Mr. *Harrison* have leave to bring in a Bill to provide for the construction of certain Light Houses, and Lights within the Port of *Montreal*.

Bill for erection of Light Houses on *St. Lawrence* brought in.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Ordered—That the said Bill be read a second time at the evening sitting of this day.

Mr. *Thorburn*, from the Committee of the whole House to take into consideration the subject of the Message of His Excellency, the Governor General, relative to the salaries of the Honourable the Speaker of the Legislative Council, and the Honourable the Speaker of this House, and the salaries of the officers of both Houses, and other references, reported, according to order, the Resolution of the said Committee, which Resolution was again read at the Clerk's table, and is as followeth :—

Chairman of Com. of whole on Message on salaries of Speakers reports Resolution.

Resolved—That a sum not exceeding one thousand pounds, currency, be granted to Her Majesty, to defray the salary of the Speaker of the Legislative Council, for one year, provided he hold no other place of profit or emolument under the crown; or if he hold any such office, the salary of which shall be less than one thousand pounds per annum. then, such sum of money as shall, with the salary of such other office, together amount to one thousand pounds.

£1,000, salary of Speaker of L. Coun. (conditional.)

The Honourable Mr. *Harrison* moved, second by Mr. *Parke*, That the report be not now concurred in, but that the same be now recommitted, for the purpose of voting an indemnity to the Speaker of the Legislative Council for the present session.

Motion to recommit Report.

Mr. *Aylwin* moved, in amendment, seconded by Mr. *Buchanan*, That all the words after "That" in the said motion be struck out, and

Amendment moved—to concur in Resolution.

the following substituted,—“ this House doth concur with the Committee in the said resolution.”

Amendment carried.

The question having been put upon the motion of amendment, it was agreed to unanimously.

Resolution agreed to.

The question being then put upon the main motion, as amended, it was also agreed to, and—

Resolved—Accordingly.

Order for House in Com. on Bill for payment of Members discharged.

The Order of the day for the House in Committee on the Bill to provide, by law, for a sessional payment to members of the Legislative Assembly, being read,

Ordered—That the said Order of the day be discharged.

Order of day for House in Com. on Message on salary of Speaker, &c. read.

The Order of the day for the House in Committee to take into consideration the subject of the Message of His Excellency, the Governor General, relative to the salaries of the Honourable the Speaker of the Legislative Council and the Honourable the Speaker of this House, and the salaries of the officers of both Houses, and other references, being read,

On motion of the Honourable Mr. *Harrison*, seconded by Mr. Solicitor General *Day*,

Instruction to Com.

Ordered—That it be an instruction to the said Committee to consider of a sessional sum, as an indemnity to members of the Legislative Assembly for their services during the present session, as recommended by the Message of His Excellency, the Governor General on that subject.

House in Committee.

The House then resolved itself into the said Committee.

Mr. *Gilchrist* took the chair of the Committee, and after some time spent therein,

Resolutions reported.

Mr. Speaker resumed the chair,

And Mr. *Gilchrist* reported that the Committee had come to several resolutions which resolutions, were again read at the Clerk's table; and agreed to by the House, and are as followeth:—

1st Resolution
£500 to Speaker of Leg. Council.

Resolved—That a sum not exceeding five hundred pounds, be granted to Her Majesty, to enable Her to pay that sum as an indemnity to the Honourable the Speaker of the Legislative Council, for the expenses by him incurred during the current year.

2nd Resolution
£500, salary of Clerk of Leg. Council.

Resolved—That a sum not exceeding five hundred pounds, currency, be granted to Her Majesty, to defray the salary of the Clerk of the Legislative Council, for one year.

3rd Resolution
£700, two Clerks Assistant, Leg. Council.

Resolved—That a sum not exceeding seven hundred pounds, currency, be granted to Her Majesty, to defray the salaries of two Clerks Assistant, to the Legislative Council, for one year, at the rate of three hundred and fifty pounds each.

4th Resolution:
£250, Clerk of Committees, &c., L. Coun.

Resolved—That a sum not exceeding two hundred and fifty pounds, currency, be granted to Her Majesty to defray the salary of the Clerk of Committees, to act also as Law Clerk and *English* translator, of the Legislative Council for one year.

5th Resolution:
£100, Master in Chancery.

Resolved—That a sum not exceeding one hundred pounds, currency, be granted to Her Majesty, to defray the salary of one master in Chancery for one year.

6th Resolution
£100, Gent. Usher of Black Rod.

Resolved—That a sum not exceeding one hundred pounds, currency, be granted to Her Majesty, to defray the salary of the Gentleman Usher of the Black Rod, for one year.

7th Resolution:
£100, Serg't at Arms, Leg. Council.

Resolved—That a sum not exceeding one hundred pounds, currency, be granted to Her Majesty, to defray the salary of the Serjeant-at-Arms to the Legislative Council for one year.

Resolved—That a sum not exceeding two hundred pounds, currency, be granted to Her Majesty, to defray the salary of a Chaplain, to act also as Librarian, to the Legislative Council, for one year.

8th Resolution :
£200, Chaplain and Librarian, L. Coun

Resolved—That a sum not exceeding sixty pounds, currency, be granted to Her Majesty, to defray the salary of the Door-keeper to the Legislative Council for one year.

9th Resolution :
£60, Door-keeper, Leg. Council.

Resolved—That a sum not exceeding one hundred pounds, currency, be granted to Her Majesty to defray the salary of the Head Messenger to the Legislative Council, for one year.

10th Resolution :
£100, Head Messenger, Leg. Council.

Resolved—That a sum not exceeding one hundred and thirty-five pounds, currency, be granted to Her Majesty to defray the salary of three Messengers to the Legislative Council, for their services during the present session, and eight days after its close at the rate of forty-five pounds each.

11th Resolution :
£135, Three Messengers, Leg. Council.

Resolved—That a sum not exceeding one thousand pounds, currency, be granted to Her Majesty, to defray the salary of the Speaker of the House of Assembly for one year, provided he hold no other place of profit or emolument under the Crown.

12th Resolution :
£1,000, Speaker of Assembly.

Resolved—That a sum not exceeding Five hundred pounds, currency, be granted to Her Majesty, to defray the salary of the Clerk of the House of Assembly, for one year.

13th Resolution :
£500, Clerk of Assembly.

Resolved—That a sum not exceeding Four hundred pounds, currency, be granted to Her Majesty, to defray the salary of the Assistant Clerk to the House of Assembly, for one year.

14th Resolution :
£400, Assistant Clerk of Assembly.

Resolved—That a sum not exceeding Three hundred and fifty pounds, currency, be granted to Her Majesty, to defray the salary of the *English* Translator, and who is to perform the duties of Law Clerk, to the House of Assembly, for one year.

15th Resolution :
£350, English Translator and Law Clerk, of Assembly.

Resolved—That a sum not exceeding Two hundred and fifty pounds, currency, be granted to Her Majesty, to defray the salary of the *French* Translator to the House of Assembly, for one year.

16th Resolution :
£250, French Translator, of Assembly.

Resolved—That a sum not exceeding One hundred pounds, currency, be granted to Her Majesty to defray the salary of the Serjeant-at-Arms to the House of Assembly, for one year.

17th Resolution :
£100, Serj't. at Arms of Assembly.

Resolved—That a sum not exceeding One hundred and fifty pounds, currency, be granted to Her Majesty, to defray the salary of the Clerk of the Crown in Chancery, for one year.

18th Resolution :
£150, Clerk of Crown in Chancery.

Resolved—That a sum not exceeding Three hundred and ninety three pounds six shillings and eight pence, currency, be granted to Her Majesty to defray the pension of *William Smith*, Esquire, late Clerk and Master in Chancery of the Legislative Council of the heretofore Province of *Lower Canada*, for one year.

19th Resolution :
£393 6s. 8d., Pension of W. Smith.

Resolved—That a sum not exceeding Two hundred and sixty six pounds, thirteen shillings, and four pence, currency, be granted to Her Majesty, to defray the pension of *Charles DeLéry*, Senior, Esquire, late Assistant Clerk of the Legislative Council, of the heretofore Province of *Lower Canada*, for one year.

20th Resolution :
£266 13s. 4d., Pension of C. DeLéry, Senior.

Resolved—That a sum not exceeding one hundred and sixty six pounds thirteen shillings, and four pence, currency, be granted to Her Majesty to defray the pension of *Jacques Voyer*, Esquire, late Clerk of Committees to the Legislative Council of the heretofore Province of *Lower Canada*, for one year.

21st Resolution :
£166 13s. 4d., Pension of Jacques Voyer.

Resolved—That a sum not exceeding sixty six pounds, thirteen shillings, and four pence, currency, be granted to Her Majesty to defray the pension of *William Ginger*, late Serjeant-at-Arms to the Legislative Council of the heretofore Province of *Lower Canada*, for one year.

22nd Resolution :
£66 13s. 4d., Pension of W. Ginger.

- 23rd Resolution: £20, Pension of L. Noreau. *Resolved*—That a sum not exceeding twenty pounds, currency, be granted to Her Majesty, to defray the pension of *Louis Noreau*, late Messenger and Office Keeper of the Legislative Council of the heretofore Province of *Lower Canada*, for one year.
- 24th Resolution: £66 13s. 4d., Pension of L. B. Pinguet. *Resolved*—That a sum not exceeding sixty six pounds, thirteen shillings, and four pence, currency, be granted to Her Majesty to defray the pension of *Louis B. Pinguet*, late Clerk of Committees to the House of Assembly of the heretofore Province of *Lower Canada*, for one year.
- 25th Resolution: £133 6s. 8d., Pension of D. Jardine. *Resolved*—That a sum not exceeding one hundred and thirty three pounds, six shillings, and eight pence, currency, be granted to Her Majesty, to defray the pension of *David Jardine*, late writing Clerk in the House of Assembly, of the heretofore Province of *Upper Canada*, for one year.
- 26th Resolution: £133 6s. 8d., Pension of W. Coates. *Resolved*—That a sum not exceeding one hundred and thirty three pounds, six shillings, and eight pence, currency, be granted to Her Majesty to defray the pension of *William Coates*, late writing Clerk in the House of Assembly of the heretofore Province of *Upper Canada*, for one year.
- 27th Resolution: £100, Pension of S. Waller. *Resolved*—That a sum not exceeding one hundred pounds, currency, be granted to Her Majesty, to defray the pension of *Samuel Waller*, late Clerk of Committees to the House of Assembly of the heretofore Province of *Lower Canada*, for one year.
- 28th Resolution: £133 6s. 8d., Pension of J. Brewer. *Resolved*—That a sum not exceeding one hundred and thirty three pounds, six shillings, and eight pence, currency, be granted to Her Majesty, to defray the pension of *Jasper Brewer*, late Librarian to the House of Assembly of the heretofore Province of *Lower Canada*, for one year.
- 29th Resolution: £18, Pension of E. Bell. *Resolved*—That a sum not exceeding eighteen pounds, currency, be granted to Her Majesty, to defray the pension of *Aeneas Bell*, late Messenger to the House of Assembly of the heretofore Province of *Upper Canada*, for one year.
- 30th Resolution: £18, Pension to F. Rodrigue. *Resolved*—That a sum not exceeding eighteen pounds, currency, be granted to Her Majesty, to defray the pension of *François Rodrigue*, late Messenger to the House of Assembly of the heretofore Province of *Lower Canada*, for one year.
- 31st Resolution: £18, Pension to L. Gagne. *Resolved*—That a sum not exceeding eighteen pounds, currency, be granted to Her Majesty, to defray the pension of *Louis Gagné*, late one of the Messengers to the House of Assembly of the heretofore Province of *Lower Canada*, for one year.
- 32nd Resolution: £6,800, sessional allowance to members. *Resolved*—That a sum not exceeding six thousand eight hundred pounds, currency, be granted to Her Majesty, for the purpose of enabling Her to pay a Sessional allowance to the Members of this House, as an indemnity for their disbursements in attending the present Session, and to defray their travelling expenses to and from the place at which the Legislature meets.
- Bill for payment of salaries &c to Officers of the Legislature brought in. *Ordered*—That the Honourable Mr. *Harrison*, have leave to bring in a Bill to make provision for the payment of the Salaries and allowances of certain Officers of the Legislature, for a limited period; and for other purposes.
He accordingly presented the said Bill to the House, and the same was received and read for the first time.
- Bill read 2nd time. *Ordered*—That the said Bill be now read a second time.
The said Bill was accordingly read a second time.
Ordered—That the said Bill be engrossed.
- Bill for payment of Members brought in. *Ordered*—That the Honourable Mr. *Harrison*, have leave to bring in a Bill for the payment of a Sessional indemnity to Members of the Legislative Assembly.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time.

Ordered—That the said Bill be now read a second time.

Bill read 2nd time.

The said Bill was accordingly read a second time.

Ordered—That the said Bill be now referred to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

House in Com. on the Bill.

Mr. *Campbell*, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Campbell*, reported that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table.

Bill reported with amendments.

Ordered—That the question of concurrence be now separately put upon the said amendments.

And the first of the said amendments being again read,

1st amendment read.

Mr. *Cameron* moved, in amendment, seconded By Mr. *J. S. MacDonald*,

Motion to amend amendment.

That the words " sixty five pounds " be struck out of the said amendment, and the words " fifty pounds " substituted.

The question having been put upon the said motion, a division ensued, and the names having been called for, they were taken down, as followeth :—

YEAS.

<i>Aylwin,</i>	<i>Harrison, Hon. S. B. McDonald, (Glen.)</i>	<i>Simpson,</i>
<i>Cameron,</i>	<i>Hincks,</i>	<i>McLean,</i>
<i>Day, Hon. C. D.</i>	<i>McNab, Sir A. N. Morris,</i>	<i>Small,</i>
<i>Foster,</i>		<i>Thompson.—13.</i>

NOES.

<i>Baldwin,</i>	<i>Hopkins,</i>	<i>Parent,</i>	<i>Taché,</i>
<i>Campbell,</i>	<i>Johnston,</i>	<i>Parke,</i>	<i>Taschereau,</i>
<i>Christie,</i>	<i>Killaly, Hon. H. H.</i>	<i>Quesnel,</i>	<i>Thorburn,</i>
<i>Cook,</i>	<i>McDonald, (Pres.)</i>	<i>Raymond,</i>	<i>Turcotte,</i>
<i>Dunn, Hon. J. H.</i>	<i>Merritt,</i>	<i>Roblin,</i>	<i>Viger, Hon. D. B.</i>
<i>Durand,</i>	<i>Morin,</i>	<i>Smith, (Front.)</i>	<i>Williams.—27.</i>
<i>Gilchrist,</i>	<i>Neilson,</i>	<i>Smith, (Went.)</i>	

So it passed in the Negative.

Motion lost.

The question being then put upon the said first amendment, it was agreed to by the House.

1st amendment carried.

The second of the said amendments being again read, and the question of concurrence being put thereon, it was agreed to by the House.

2nd amendment agreed to.

Ordered—That the said Bill, as amended, be engrossed.

Bill to be engrossed.

A message from the Legislative Council by *John Godfrey Spragge*, Esquire, Master in Chancery.

Message from Leg. Council.

MR. SPEAKER,

The Legislative Council have passed the following Bills, without any amendment :—

Bills passed L. Coun.

" *An Act to repeal certain Acts, therein mentioned, and to consolidate the Laws relating to the Provincial duties to be levied on Goods, Wares, and Merchandize, imported into this Province.*"

Bill to regulate Customs Duties.

" *An Act to create a fund for defraying the expense of enabling indigent Emigrants to proceed to their place of destination, and of supporting them until they can procure employment.*"

Indigent Emigrants' Fund Bill.

Bill to indemnify C. Leggo. " *An Act to authorize the payment of a certain sum of money to Christopher Leggo.*"

And also,

Quebec Bank Charter extension Bill sent down amended. The Legislative Council have passed the Bill intituled, "*An Act to extend the Charter of the Quebec Bank,*" with several amendments, to which they desire the concurrence of the Assembly.

And also,

LEGISLATIVE ASSEMBLY, 15TH SEPTEMBER, 1841.

Com. of Leg. Council appointed to meet Com. of Assembly on the Library.

Ordered—That the Master in Chancery do go down to the Legislative Assembly, and acquaint that House that the Legislative Council have appointed the Honourable Messieurs *Morris* and *Hamilton*, to be a Committee on the part of this House, who will be ready to meet the Committee appointed by the Legislative Assembly, on the subject of the Library, tomorrow, at the hour of eleven o'clock in the forenoon, in the Library.

Attest,

JAMES FITZGIBBON,

Clerk Leg. Council.

And then, he withdrew.

House in Com. on Public Improvements Bill.

The Order of the day for the House in Committee on the Bill to appropriate certain sums of money for public improvements in this Province, and for other purposes therein mentioned, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Roblin*, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Bill reported amended.

And Mr. *Roblin*, reported that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table, and agreed to by the House.

Bill to be engrossed.

Ordered—That the said Bill, as amended, be engrossed.

On motion of Mr. *Black*, seconded by Mr. *Merritt*.

Amendments to Quebec Bank Charter extension Bill considered.

Ordered—That the amendments by the Legislative Council to the Bill entitled "*An Act to extend the Charter of the Quebec Bank,*" be now taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:—

Amendments

Press 9, Line 20—Leave out all the words after "felony" to "accordingly" both inclusive.

Press 10, Line 14—Leave out "for the first offence.

Press 10, Line 15—Leave out all the words after "of" to "felony" in the twentieth line, inclusively, and insert "felony."

Press 11, Line 9—Leave out after "of" to "accordingly" in the 10th line and insert "felony."

Press 11, Line 13—After the 22nd Clause insert the following Clause, marked A.

(A.)

"And be it enacted, that every person convicted of felony under this Act, shall be punished by imprisonment at hard labor, in the Provincial Penitentiary for any term not less than seven years, or by imprisonment in any other Gaol or place of confinement for any term not exceeding two years."

And the said amendments being again read, they were agreed to by the House.

Amendments agreed to.

Ordered—That Mr. *Black*, do carry back the said Bill to the Legislative Council, and acquaint their Honors that this House hath agreed to their amendments.

A message from the Legislative Council, by *John Godfrey Spragge*, Esquire, Master in Chancery.

Message from Leg. Council.

MR. SPEAKER,

The Legislative Council have passed the Bill entitled "*An Act to extend the Charter of the Bank of Montreal, and to increase its capital stock*" with several amendments, to which they desire the concurrence of the Assembly.

Montreal Bank Stock increase Bill sent down amended.

And then he withdrew.

On motion of Mr. *Black*, seconded by Mr. *Burnet*,

Ordered—That the amendments made by the Legislative Council to the Bill intituled "*An Act to extend the Charter of the Bank of Montreal, and to increase its Capital Stock*," be now taken into consideration.

Amendments considered

The House proceeded, accordingly, to take the said amendments into consideration,

And the said amendments were read, and are as followeth :—

Press 19th, Line 13—Leave out "and be punished accordingly."

Press 19, Line 26—Leave out "for the first offence."

Press 19, Line 27—Leave out all the words after "of" to "accordingly" in Press 20, Line 4, and insert "felony."

Amendments.

Press 20, Line 20—Leave out all the words after "felony" to "accordingly," inclusively, in the 21st line, and insert "and the proof that such plate, paper, rolling press, or other tool, instrument, or material, as aforesaid, was formed, made, engraved, or amended, by, or was in the possession of such person for some lawful purpose, shall be upon him or her."

Press 20, Line 21—After the 36th Clause, insert the following Clause, marked A :—

(A.)

"And be it enacted, that every person convicted of felony under this Act, shall be punished by imprisonment at hard labor in the Provincial Penitentiary, for any term not less than seven years, or by imprisonment in any other Gaol or place of confinement for any term not exceeding two years."

And the said amendments being again read, they were agreed to by the House.

Amendments agreed to.

Ordered—That Mr. *Black*, do carry back the said amendments to the Legislative Council and acquaint their honours that this House hath agreed to their amendments.

The Order of the day for the House in Committee to take into consideration the expediency of amending the Ordinance of the Special Council, of the 4th VICTORIA, Chap. 41, authorizing the formation of a Rail Road from *Montreal* to *Coteau du Lac*, being read,

House in Com on amending Ordinance respecting Montreal and Coteau Rail Road.

The House accordingly resolved itself into the said Committee,

Mr. *Morris*, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Morris*, reported that the Committee had come to a Resolu-

Resolution reported.

tion, which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth :—

Resolution.

Resolved—That it is expedient to amend the 53rd Clause of the Ordinance of the Special Council, 4th VICTORIA, Chap. 41, by extending the period therein fixed for depositing the record named in the aforesaid Clause.

Bill to amend Montreal and Coteau Rail Road Ordinance brought in.

Ordered—That Mr. Cameron, have leave to bring in a Bill to extend the limitation of the 53rd Clause in the Ordinance 4th VICTORIA, Chap. 41, establishing a Company for making a Rail Road from *Montreal* to *Coteau du Lac*.

He accordingly presented the said Bill to the House, and the same was received and read for the first time.

Ordered—That the said Bill be read a second time to-morrow.

At 5 o'clock Mr. Speaker declared the House adjourned until 7 o'clock, P. M.

Mercurii, 15^o die Septembris ;

7 o'Clock, P. M.

House in Com. on taxing imported produce.

The Order of the day for the House in Committee on the Bill for imposing duties on agricultural and other produce, and stock, imported into this country from the *United States of America*, being read,

The House accordingly resolved itself into the said Committee.

Mr. Cook took the chair of the Committee, and after some time spent therein,

Committee rises.

Mr. Speaker resumed the chair,

Message from Leg. Council.

A Message from the Legislative Council by *John Godfrey Spragge, Esq.*, Master in Chancery :—

MR. SPEAKER,

Bills passed L. Coun.

'The Legislative Council have passed the following Bills, without any amendment :—

Warehousing Bill.

" *An Act to extend the benefit of the warehousing system established by a certain Act of the Imperial Parliament, passed in the 3d and 4th years of His late Majesty's Reign, to duties imposed by Provincial Acts.*"

Home District debts consolidation Bill.

" *An Act to consolidate certain debts due by the Home District, and to make provision for the payment thereof.*"

Bill to amend Act of U. C. regulating macadamized roads.
Bill to appropriate School Funds in Canada West.

" *An Act to explain and amend an Act of the Legislature of Upper Canada, relative to District Turnpike Trusts.*"

" *An Act to make temporary provision for the appropriation of the funds derived from the sale of School Lands in that part of the Province formerly Upper Canada, and for other purposes.*"

And, also,

City Bank stock increase Bill sent down amended.

The Legislative Council have passed the Bill intituled "*An Act to extend the Charter of the City Bank, and to increase the Capital Stock thereof,*" with several amendments, to which they desire the concurrence of the Assembly."

And, also,

Bill to naturalize Rev. W. Sharts sent down for concurrence.

The Legislative Council have passed a Bill, intituled "*An Act to naturalize the Reverend William Sharts,*" to which they desire the concurrence of the Assembly.

And then he withdrew.

An engrossed Bill from the Legislative Council, intituled "*An Act to naturalize the Reverend William Sharts,*" was read for the first time. Bill read first time.

A Bill to provide for the construction of certain Light Houses and Lights, within the Port of *Montreal*, was, according to order, read a second time. Bill to construct certain Light Houses read 2nd time.

Ordered—That the said Bill be now referred to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. *Cameron* took the chair of the Committee, and after some time spent therein, House in Com. on the Bill.

Mr. Speaker resumed the chair,

And Mr. *Cameron* reported, that the Committee had gone through the Bill without making any amendment thereto, and the report was again read at the Clerk's table.

Ordered—That the said Bill be engrossed. Bill to be engrossed.

The Order of the day for the House in Committee on the Bill to incorporate the *Quebec* Board of Trade, being read, House in Com. on Quebec Board of Trade Bill.

The House accordingly resolved itself into the said Committee.

Mr. *Thorburn* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Thorburn* reported, that the Committee had gone through the Bill, without making any amendment thereto, and the report was again read at the Clerk's table.

Ordered—That the said Bill be engrossed. Bill to be engrossed.

The Order of the day for the House in Committee on the Bill to incorporate the College of *L'Assomption*, in the County of *Leinster*, being read, House in Com. on L'Assomption College Bill.

The House accordingly resolved itself into the said Committee.

Mr. *Thorburn* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Thorburn* reported, that the Committee had gone through the Bill, without making any amendment thereto, and the report was again read at the Clerk's table.

Ordered—That the said Bill be engrossed. Bill to be engrossed.

The names of the members present were taken down as followeth :—

Mr. Speaker,

Mr. *Armstrong*, Mr. *Baldwin*, Mr. *Campbell*, Mr. Solicitor General *Day*, Mr. *Dunlop*, Mr. *Durand*, Mr. *Foster*, Mr. *Gilchrist*, Mr. *Hopkins*, Mr. *Morin*, Mr. *Raymond*, Mr. *Roblin*, Mr. *Simpson*, Mr. *Steele*, and the Honourable Mr. *Viger*. No Quorum.

And at 10 o'clock at night, Mr. Speaker adjourned the House, for want of a Quorum.

Jovis, 16^o die Septembris ;

Anno 5^o Victoriæ Reginae, 1841.

Mr. Speaker communicated to the House the following letter :—

CLERK'S OFFICE, LEGISLATIVE ASSEMBLY,
Kingston, 15th September, 1841.

Letter from Clerk of the House respecting appointment of W. P. Patrick, Esq. as his deputy.

SIR,

As I have still a considerable portion of the work connected with the printing of the Journals of the last session of the Special Council to Su-

perintend, and the work is undertaken and must be completed at *Quebec*, I am desirous of availing myself, with the permission of the Honourable the Legislative Assembly, of the power given me by my commission, as its Clerk, by appointing a Deputy to act for me here during the recess; and I therefore respectfully request that you will lay this application before the House, if you are of opinion that it can be conveniently granted. The gentleman whom I propose to appoint as my Deputy, is *William Poyntz Patrick*, Esq., one of the officers of the House, whose long experience in the service of the Assembly of the late Province of *Upper Canada*, has perfectly qualified him to undertake the duty; and in whose diligence and attention I have the fullest confidence.

I have the honour to be, Sir,

Your most obedient humble servant,

W. B. LINDSAY,

Clerk Assembly.

To the Honourable the Speaker }
of the Legislative Assembly. }

- Appointment approved of. On motion of Mr. *Neilson*, seconded by Mr. *Aylwin*,
Resolved—That this House doth approve of the Clerk of this House appointing *William Poyntz Patrick*, Esq., to act as his Deputy during the recess of Parliament.
- Petition of A. Green and others, brought up. Mr. *D. McDonald* brought up the Petition of *Alexander Green*, and others, inhabitants of the District of *Ottawa*; which was laid on the table.
- Members' payment Bill passed. An engrossed Bill for the payment of a sessional indemnity to members of the Legislative Assembly, was read for the third time.
Resolved—That the Bill do pass, and the title be, "*An Act to provide in part for indemnifying the Members of the Legislative Assembly of this Province.*"
Ordered—That the Honourable Mr. *Harrison* do carry the said Bill to the Legislative Council and desire their concurrence.
- Bill for payment of salaries &c. to Officers of the Legislature passed. An engrossed Bill to make provision for the payment of the salaries and allowances of certain Officers of the Legislature, for a limited period, and for other purposes, was read for the third time.
Resolved—That the Bill do pass.
Ordered—That the Honourable Mr. *Harrison* do carry the said Bill to the Legislative Council, and desire their concurrence.
- Bill to make a grant to Victoria College passed. An engrossed Bill to grant a certain sum of money, as an aid to the *Victoria College*, was read for the third time.
Resolved—That the Bill do pass.
Ordered—That the Honourable Mr. *Harrison* do carry the said Bill to the Legislative Council, and desire their concurrence.
- Public Improvements Bill passed. An engrossed Bill to appropriate certain sums of money for Public Improvements in this Province, and for other purposes therein mentioned, was read for the third time.
Resolved—That the Bill do pass.
Ordered—That Mr. Solicitor General *Day* do carry the said Bill to the Legislative Council, and desire their concurrence.
- Bill for erection of certain Light Houses passed. An engrossed Bill to provide for the construction of certain Light Houses and Lights, within the Port of *Montreal*, was read for the third time.
Resolved—That the Bill do pass.

Ordered—That Mr. Solicitor General *Day* do carry the said Bill to the Legislative Council, and desire their concurrence.

An engrossed Bill to appropriate a sum of money to defray certain expenses relative to the Provincial Steam Dredge of *Upper Canada*, and for other purposes relative to the said Steam Dredge, was read for the third time.

Bill to defray certain expenses of Steam Dredge passed.

Resolved—That the Bill do pass.

Ordered—That Mr. Solicitor General *Day* do carry the said Bill to the Legislative Council, and desire their concurrence.

Pursuant to the Order of the day, the following Petitions were read:—

Petitions read.

Of *Charles P. Treadwell*, Esquire, and others, members of the *Ottawa* District Bible Society, praying that the Bible may be used as a Class Book in all the Schools and Seminaries throughout this Province.

Of C. P. Treadwell and others.

Of *James Lee*, and others, members of the Agricultural Society of *Missisquoi*, praying that certain amendments may be made to the Act of the 4th WILL. 4th, Chap. 8, Sec. 2d.

Of J. Lee and others

Sir *Allan MacNab*, from the Special Committee to which was referred the Petition of *Peter Leppard*, of *East Guilimbury*, *Home* District, the Petition of *George Munro*, Mayor, on behalf of the Corporation of the City of *Toronto*, and other references, with power to report from time to time, presented to the House the first report of the said Committee, which was again read at the Clerk's table.

Com on Petition of P Leppard and others, and on Petition of G. Munro, present 1st Report.

For the said Report, see Appendix (O. O.)

Ordered—That the like number of copies of the said report, with the documents accompanying the same, be printed for the use of the members of this House, as was ordered to be printed of the report of the Commissioners appointed to investigate the *Toronto* riots.

Report to be printed

Ordered—That the further consideration of the Petition of *George Munro*, Mayor, on behalf of the Corporation of the City of *Toronto*, be postponed until the next Session of Parliament.

Further consideration of Petition of G. Munro deferred.

Mr. *Roblin*, from the Select Committee to which was referred the Petition of *Matthew Rourke*, of *Kingston*, Merchant, presented to the House the report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

Com. on Petition of M. Rourke report.

“Your Committee find that at the commencement of this Session a Petition, signed by said *Rourke*, and others, complaining of the return of *Henry Smith*, Esquire, member for the County of *Frontenac*, and laid before your Honourable House.

Report.

That Your Honourable House did not appoint any day for striking a Committee on said Petition.

That on the last day allowed by law for fixing a day to strike a Committee, another Petition was laid before Your Honourable House, by *James Mathewson*, Esquire, in substance the same as the one above referred to, and the twenty second day of *July* fixed for striking the Committee to try the merits of said Petition.

That it appears to Your Committee that Mr. *Smith* allowed the Petition of *Rourke*, and others, to remain unnoticed until the 20th day of *July*, when he moved that said Petition of *Rourke*, and others, should be referred to the Committee to be struck for the trial of the Petition of *James Mathewson*, which was ordered by Your Honourable House.

That it appears to your Committee that Mr. *Smith* was, about the

first day of *July*, informed that no action should be taken upon the Petition of *Rourke* and others.

That it appears to your Committee that no notice of the reference of the Petition of *Mathew Rourke*, and others, aforementioned, was given to the Petitioners or their Counsel or agent.

That when the Committee appointed for the trial of the Petition of *Mr. Matherson* met, the Counsel for the Petitioner informed the Committee, and in the presence of *Mr. Smith*, that it was not intended to take any action upon the Petition of *Rourke*, and others, nor was any thing done upon the same.

That the Committee on reporting upon both said Petitions, declared that of *Rourke*, and others, vexations, with a full understanding, that there could not be any costs incurred in defending the same."

Revision of taxation of costs on Petition of *M. Rourke* ordered.

Ordered—That the proper officers of this House be directed to re-examine and revise the taxation of the costs on the Petition of *Matthew Rourke*, of *Kingston*, Merchant, and to reduce the said costs, or disallow the same, according to such evidence as may be produced relative to the proceedings before the Committee to which such Petition was referred.

Com. on Petition of Directors of *Toronto* and *Huron R. Road Co.* report

Mr. Buchanan, from the select Committee to which were referred the Petition of the Directors of the *Toronto* and *Lake Huron* Rail Road Company, and other references, presented to the House the report of the said Committee, which was again read at the Clerk's table, and is as followeth :

Report

"Your Committee find that the Petition prays that an amendment may be made in the Act incorporating the *Toronto* and *Lake Huron* Rail Road Company, so as to confer on the said Company the Right of forming a planked or macadamized Road upon the same conditions, and on the same terms, on which they are now authorized by law to construct a Rail Road from the one Lake to the other.

The object of the Company is, by establishing a direct and easy communication between Lakes *Ontario* and *Huron*, to open up an immense Country, at present deprived of access to Market, and to secure to *Toronto*, and the other Ports on Lake *Ontario*, a portion of the great and increasing Trade of the *West*, and a participation in the *Lake Huron* Fisheries, an inexhaustible source of wealth, at present monopolized by the people of the *United States*, who last year sent off not less than eighty thousand barrels of fish to the Markets of *Ohio* and *Illinois*. Your Committee concur with the Petitioners, that "the advantages which would result from such an improvement would be greater, in a Commercial and agricultural point of view than could be derived from almost any other work,"—and they could have no hesitation in reporting in favor of the prayer being granted, but for their opinion, that deferring the alteration till next Session may be the means of having adopted a much more eligible *Western* terminus than could now be fixed on.

Your Committee are of opinion, that in stead of running the Road *Northward* to Lake *Huron*, it should take a *Westerly* direction and be terminated on Lake *Huron* about 50 or 60 miles *North* of *Goderich*.

The last or most *westerley* 60 miles of such a line of communication would be through the centre of a tract of upwards of a million of acres of the most desirable lands in *Canada*, which are public property, but which, without this Road, must remain for the next half century as valueless as so many acres of Lake *Huron*.

Your Committee are satisfied that the greatest improvement to the resources of the Province would be attained by a planked road being made, at the expense of the Province, through the said Territory ; and in such view, all the objects of the *Toronto* and *Lake Huron* Road Company would be attained by their Road having a *Western* terminus at an inland

point, at or near the *North Western* corner of the Township of *Mono*, where it would be met by the above proposed Road, through the (at present) unsettled Townships of public lands.

The Petitioners anticipate the following advantage to the public, which your Committee see no reason to doubt, and which would be a guarantee for the work being a profitable one—" Travellers from the " *Western* portion of the *United States* of *America*, desiring to reach *New York*, would, in the event of such a Road being made, take this route in " preference to any other now used, as both time and expense would be " saved, and the dangers of the navigation of *Lake Erie* avoided :—a per- " son leaving *Michilimackinac* on *Lake Huron*, the point at which all the " Steamers navigating *Lakes Huron* and *Michigan* rendezvous in their " upward and downward passages, could then reach *Toronto* in 24 " hours; whereas by the routes now used, the same point cannot be " reached in less than four days; in the event, also, of a war, additional " security and facilities would be afforded to the inhabitants of the " Province."

Your Committee beg, therefore, to recommend to your Honourable House to address His Excellency, the Governor General, for a report to be laid before your Honourable House, at its next Session, by the Board of Works, after a full investigation into the above matter, as to whether the Government, looking to the increased value to be put on so large an amount of public lands, and for the general benefit of the Province, would be prepared to recommend to be made (at the public expense, or by means of the lands through which it will pass,) that part of the road which would be through an unsettled country, and the tolls on which, apart from the expected travel from the *United States*, could not at first be expected to be sufficient to pay the interest on the outlay, and the repairs which might be needed."

Resolved—That this House doth concur with the Committee in the said report. Report concurred in.

On motion of Mr. *Buchanan*, second by Mr. *Dunlop*.

Resolved—That an humble address be presented to His Excellency, the Governor General, communicating to His Excellency a copy of the said report, and praying that His Excellency will be pleased to take the same into his favourable consideration.

Address to His Excellency communicating report, ordered.

Ordered—That the said address be presented to His Excellency, by such Members of this House as are of the Honourable the Executive Council of this Province.

Mr. *Thorburn*, from the Select Committee appointed to enquire into the state and condition of *Brock's* Monument, and what amount of moneys, if any, has been contributed by the public for its re-erection; and also, whether certain Gold and Silver Medals, struck for Militiamen, have been distributed, and if so, to whom, presented to the House the report of the said Committee, which was again read at the Clerk's table, and is as followeth :—

Com. on state of Brock's Monument report.

" Your Committee beg leave to draw the attention of your Honourable House to the present state of the Monument erected to the memory of the late Major General Sir *Isaac Brock*. On the morning of the 17th *April*, 1840, a malicious attempt was made by some unknown miscreant, to destroy the Monument by means of gunpowder, which was so far successful as to render it necessary to pull it down. Report

In consequence of this diabolical act, a meeting was held on the *Queenston Heights*, on the 30th of *July* following, at which His Excellency, Sir *George Arthur*, presided, and which was attended by Officers in the Militia, and others, from all parts of the Province, when, after an expres-

Report of Committee
on Brock's Monu-
ment.

sion of indignation at the outrage, it was resolved that funds for rebuilding the Monument should be endeavoured to be raised by subscription ; and a Committee was appointed to ascertain the amount required, and devise ways and means for raising a sum, by voluntary donations, for that purpose ; and to adopt such measures as they might deem necessary for the re-erection of the Monument. It appears by their returns that these subscriptions, up to to the present time, are equal to about £2,800, which is invested in Government Debentures, bearing interest ; but this sum being deemed insufficient to rebuild the Monument in a suitable manner, no steps have yet been taken towards a commencement of the work, and from the lateness of the season, it is more than probable that nothing will be done during the present year. The materials of which the Monument is composed having been materially loosened by the explosion, portions thereof are frequently detaching themselves. The Commissioners appointed by the 55 GEO. 4, Chap. 15, having deceased, there is no one legally authorised to take charge of these materials, and they are liable to be taken away by any one who may think it worth while to remove them.

Your Committee therefore beg leave to recommend that two or three Gentlemen residing near the Monument should be placed in temporary charge thereof until the rebuilding of the same shall be proceeded with."

Commissioners ap-
pointed to take charge
of Brock's Monument.

Resolved—That *David Thorburn, Samuel Street and Joseph Hamilton*, Esquires, be appointed Commissioners to take charge of the monument erected to the memory of the late Major General *Sir Isaac Brock*, until steps be taken for its re-erection.

Quebec Board of
Trade Bill read 3rd
time.
Bill re-committed.

An engrossed Bill to incorporate the *Quebec* Board of Trade, was read for the third time.

Ordered—That the said Bill be now recommitted to a Committee of the whole House.

The House accordingly resolved itself into the said Committee.

Mr. *Small* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Bill reported amended.

And Mr. *Small* reported, that the Committee had gone through the Bill, and had made an amendment thereto, which amendment was again read at the Clerk's table, and agreed to by the House.

Ordered—That the said Bill, as amended, be engrossed.

The said engrossed Bill, as amended, was then again read.

Bill passed.

Resolved—That the Bill do pass.

Ordered—That Mr. *Burnet* do carry the said Bill to the Legislative Council, and desire their concurrence.

L'Assomption College
Bill passed

An engrossed Bill to incorporate the College of *L'Assomption*, in the County of *Leinster*, was read for the third time.

Resolved—That the Bill do pass.

Ordered—That Mr. *Raymond* do carry the said Bill to the Legislative Council, and desire their concurrence.

Bill to naturalize Rev.
W. Sharts (L. Coun.)
read 2nd time.

On motion of Mr. *Cartwright*, seconded by Mr. *Cook*,

Ordered—That the engrossed Bill from the Legislative Council, intitled "*An Act to naturalize the Reverend William Sharts*," be now read a second time.

The said Bill was accordingly read a second time.

Ordered—That the said Bill be now read for the third time.

The said Bill was accordingly read for the third time.

Bill passed

Resolved—That the Bill do pass.

Ordered—That Mr. *Cartwright* do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath passed the same, without any amendment.

On motion of Mr. *Black*, seconded by Mr. *Cartwright*,

Ordered—That the amendments made by the Legislative Council to the Bill intituled “*An Act to extend the Charter of the ‘City Bank,’ and to increase the Capital Stock thereof,*” be now taken into consideration.

Amendments of Leg. Council to City Bank Bill taken into consideration.

The House proceeded accordingly to take the said amendments into consideration.

And the said amendments were read, and are as followeth:—

Press 23, Line 7—Leave out all the words after “felony,” to “accordingly,” both inclusive.

Amendments.

Press 23, Lines 26 and 27—Leave out “for the first offence.”

Press 24, Line 1—Leave out all the words after “of” to “accordingly,” in the 11th line, inclusively, and insert “felony.”

Press 25, Line 7—Leave out all the words after “felony” to “accordingly,” inclusively, in the 8th line, and insert “and the proof that such plate, paper, rolling press, or other tool, instrument or material, as aforesaid, was formed, made, engraved or mended, by, or was in the possession of such person for some lawful purpose, shall be upon him or her.”

Press 25, Line 8—After the 33d Clause, insert the following Clause marked A:—

CLAUSE A.

“And be it enacted, that every person convicted of felony under this Act, shall be punished by imprisonment at hard labor in the Provincial Penitentiary, for any term not less than seven years, or by imprisonment in any other Gaol or place of confinement for any term not exceeding two years.”

And the said amendments being again read, they were agreed to by the House.

Amendments agreed to.

Ordered—That Mr. *Black* do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

Mr. *Gilchrist*, from the Committee of the whole House on the second Report of Select Committee appointed to examine into the prices paid, and methods adopted, for the transit of products on the different Communications within this Province, and to whom was referred the Message of His Excellency, the Governor General, in answer to the Address of the House of the 14th of *July* last, on the subject of an Address of the House of Assembly of *Upper Canada*, relating to the introduction of the products of the Province into the Ports of *Great Britain*, free of any duty; reported, according to order, the Resolutions of the said Committee, which Resolutions were again read at the Clerk’s table, and agreed to by the House and are as followeth:—

Chairman of Com. of whole on 2nd Report of Com. on transit of products, reports Resolutions.

Resolved—That boats, rafts, or craft of any description, passing from one part of the Province to another should not continue to be subject to any charges, delay, or restriction, whatever, at the *Coteau de Lac*.

1st Resolution.

Resolved—That the attention of Her Majesty’s Government should be immediately drawn to the importance of widening the three Locks on the *Grenville Canal*, for reasons set forth in the report of a select Committee of this House on the subject of water communications.

2nd Resolution.

Resolved—That the attention of the Board of Works be directed to the removal of the arched Bridges on the *Lachine Canal*; to affording the necessary facilities at the *St. Anns Rapids* for the passage upwards of boats until that Lock is finished; and to providing a sufficient number of tug boats between *Lachine* and *Kingston*, to form one daily line; to enable vessels of a small draught of water to return to the Upper Lakes from the Ports of *Quebec* and *Montreal*, without being subject to the expense and delay of transshipment; that an increased amount of toll be imposed to de-

3rd Resolution.

fray the costs and expenses thereof; and that this House will make good any advances which may be necessary to give effect to the present Resolutions.

Bill to amend Ordinance respecting Montreal and Coteau Rail Road, read 2nd time.

A Bill to extend the limitation of the 53rd clause in the Ordinance 4 VIC. Chap. 41; establishing a Company for the making a Rail Road from *Montreal* to the *Coteau du Lac*, was, according to order, read a second time.

Ordered—That the said Bill be engrossed.

An engrossed Bill to extend the limitation of the 53rd clause in the Ordinance 4th VIC: Chapt. 41, establishing a Company for the making a Rail Road from *Montreal* to the *Coteau du Lac*, was read for the third time.

Bill passed

Resolved—That the Bill do pass, and that the title be “*An Act to extend the limits of an Ordinance of the Legislature of the late Province of Lower Canada, intituled ‘An Ordinance for making a Rail Road from the City of Montreal to the Province line, at, or near, Pointe à ‘Beaudet.’*”

Ordered—That Mr. *Cameron* do carry the said Bill to the Legislative Council, and desire their concurrence.

Sydenham Harbor Bill read 2nd time.

A Bill to incorporate certain persons therein named, under the style and title of the *Sydenham Harbor Company*, was, according to order, read a second time.

Bill to be engrossed

Ordered—That the said Bill be engrossed.

Motion respecting the sending a person to England to negotiate loan.

Mr. *Aylwin* moved, seconded by Mr. *Taché*,

That this House, in passing the Bill intituled “*An Act to facilitate the negotiation of a loan in England, and for other purposes therein mentioned,*” only agreed to the said Bill in the firm reliance that the executive Government of this Province will appoint no person to be an agent to carry the said Bill into effect, if passed into a law, unless the person so appointed be a person permanently residing in this Province, and enabled to give good and sufficient security for the faithful performance of his duty under the said Act.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down, as followeth:

YEAS.

<i>Aylwin,</i>	<i>Johnston,</i>	<i>Parent,</i>	<i>Thompson,</i>
<i>Baldwin,</i>	<i>Merritt,</i>	<i>Smith, (Went.)</i>	<i>Viger, Hon. D.B.</i>
<i>Buchanan,</i>	<i>Morris,</i>	<i>Taché,</i>	<i>Yule.—15.</i>
<i>Durand,</i>	<i>Neilson,</i>	<i>Taschereau,</i>	

NOES.

<i>Black,</i>	<i>Gilchrist,</i>	<i>Parke,</i>	<i>Simpson,</i>
<i>Campbell,</i>	<i>Harrison, Hon. S.B.</i>	<i>Poivell,</i>	<i>Steele,</i>
<i>Cook,</i>	<i>Hincks,</i>	<i>Robertson,</i>	<i>Watts,</i>
<i>Dunn, Hon. J. H.</i>	<i>McNab, Sir A. N.</i>	<i>Roblin,</i>	<i>Williams.—18.</i>
<i>Foster,</i>	<i>McDonald, (Pres.)</i>		

Motion lost.

So it passed in the Negative.

House in Com. on Election and Registration Bill.

The Order of the day for the House in Committee on the Bill to provide for the enregistration of persons entitled to vote at Elections, of Members of the Legislative Assembly of this Province, and to make better provision for the holding of such Elections, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Parke* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Parke* reported that the Committee had gone through the Bill, and had made several amendments, thereto, which amendments were again read at the Clerk's table, and agreed to by the House.

Bill reported amended.

Ordered—That the said Bill, as amended, be engrossed.

Bill to be engrossed.

A Message from the Legislative Council by *John Godfrey Spragge*, Esquire, Master in Chancery.

Message from Leg. Council.

MR. SPEAKER,

The Legislative Council have passed the Bill intituled "*An Act to incorporate sundry persons under the style and title of the President, Directors, and Company, of the Bank of the Niagara District*" with several amendments, to which they desire the concurrence of the Assembly.

Niagara Bank Bill sent down amended.

And then he withdrew.

On motion of Mr. *Merritt*, seconded by Mr. *Hincks*.

Ordered—That the amendments made by the Legislative Council to the Bill intituled "*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 now taken into consideration.

The House proceeded accordingly to take the said Amendments into consideration.

And the said Amendments were read, and are as followeth:—

Amendments read.

Press 24, Line 14—Leave out all the words after "felony" to "years," inclusively, in the twentieth line.

Amendments.

Press 25, Line 10—Leave out the words "for the first offence."

Press 25, Line 11—Leave out all the words after "of" to "felony," inclusively, in the eighteenth line, and insert "felony."

Press 26, Line 13—Leave out all the words after "of" to "accordingly," inclusively, in the fifteenth line, and insert "felony."

Press 26, Line 20—After the 44th clause insert additional clause,

CLAUSE A.

"And be it enacted, that every person convicted of felony under this Act shall be punished by imprisonment, at hard labour, in the Provincial Penitentiary, for any term not less than seven years, or by imprisonment in any other Gaol or place of confinement, for any time not exceeding two years."

And the said amendments being again read, they were agreed to by the House.

Amendments agreed to.

Ordered—That Mr. *Merritt* do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath agreed to their amendments.

Mr. *Thorburn*, from the special Committee on the contingent accounts, and other expenses of the present session, presented to the House the fourth report of the said Committee, which was again read at the Clerk's table, and is as followeth:—

Com. on Contingencies present 4th Report.

"Your Committee in compliance with the instructions of your Honourable House—"to take into consideration the amount of salary, allowances, "and perquisites, enjoyed by the Clerk of the House when in office in "the late Province of *Lower Canada*, as Clerk to the House of Assembly, "and Clerk to the Special Council of that Province"—have inquired into the same accordingly, and find that in addition to his salary of £500 per annum, that officer was allowed £100 per annum for house rent,

Report.

4th Report of Com-
mittee on Contingent
Expenses

£100 per annum for superintending the printing of the Ordinances, and one per cent on the monies paid out by him, in addition to which, while attending the Special Council at *Montreal*, he received 15s. per diem to cover the extra expenses incurred by him while absent from home. Your Committee therefore submit a resolution to allow this officer, in addition to his salary the sum of £100, for house rent and fuel, and one per cent on all disbursements made by him on account of the contingent expenses of the House.

Your Committee have had an application from the Assistant Clerk of your Honourable House, stating that when he held the same office in *Lower Canada*, he received a salary of £400 per annum, in addition to which it was his duty to translate the Journal of the House into the *French* language, which produced him annually a sum averaging from £65 to £84, but that in his present situation, though his salary remains the same, the translation of the Journals is performed by officers appointed for the purpose, in consequence of which he is deprived of a portion of his income. From the long standing of the applicant as an Officer of the Legislature, Your Committee cannot refuse to submit, for the consideration of Your Honourable House, a blank Resolution, to be filled up with such sum as may be considered sufficient to compensate him for the same.

With reference to the Petition of *Maria McCrea*, Your Committee have ascertained that she was placed in the Parliament Buildings to take charge thereof, by the Clerk to the Honourable the Legislative Council, before the commencement of the present session, with the expectation of being appointed to the situation of House-keeper, the duties of which, she has since continued to perform; but it having been decided that that appointment shall be given to the Chief Messenger, your Committee recommend that such sum be allowed her as to your Honourable House may seem meet, for her services during the present session, and to compensate her for the expenses necessarily incurred under the circumstances, and the disappointment she has experienced.

Your Committee have had an application from the Sergeant-at-Arms, stating that his present salary of £100 per annum is totally inadequate to his support, and praying for an addition thereto out of the contingencies of the House. Your Committee find that the Serjeant-at-Arms of the late House of Assembly of *Upper Canada*, received £50 per annum, by warrant from the Executive Government, and £100 additional, by annual vote of the House; they conceive that the salary of this Officer is not, at present, adequate to his services and station, and therefore report a blank resolution, for such additional allowance as to your Honourable House may appear proper.

An order having been passed by your Honourable House, that upon persons being summoned to give evidence before any Committee of the House, an account of the expenses of such witnesses should be laid before this Committee, that they may report thereupon; they therefore beg to state, that they have examined, in accordance thereto, the following accounts of the expenses of certain witnesses called before the Committee to which were referred the Petitions of *Peter Lepard*, *W. W. Baldwin*, and others, and of *Joseph Milburn*, relative to certain riots on *Yonge* street in the *Home* District, and also at the City of *Toronto*, which accounts (the said witnesses having been called on public business) your Committee report accordingly, viz. :—

<i>John Lindsay</i> , (on Pet. of <i>Lepard</i>),	.....	£4	15	0	
<i>P. Lepard</i> ,	do	.....	4	10	0
<i>J. Dallas</i> ,	do	.....	6	5	0

Carried forward.....£ 15 10 0

	Brought over.....	£ 15 10 0
<i>J. Cummer</i> , (on Pet. of <i>Lepard</i>).....		3 15 0
<i>J. Eliot</i> , do.....		4 5 0
<i>J. Trotter</i> , do.....		4 10 0
<i>F. Jackes</i> , do.....		4 5 0
<i>J. Buchan</i> , do.....		4 5 0
<i>J. Snider</i> , do.....		4 5 0
<i>W. B. Crew</i> , do.....		5 12 6
<i>J. Milburn</i> , (on Pet. of <i>Baldwin</i> , et. al.).....		4 0 0
<i>J. Munshaw</i> , (on Pet. of <i>J. Milburn</i>).....		4 0 0
	Amounting to the sum of.....	£54 7 6

Report of Committee
on Contingencies.

For which a Resolution is provided.

The Parliament Building in *Toronto* having been left in charge of *Aeneas Bell*, late chief messenger of the Assembly of *Upper Canada*, your Committee have prepared a Resolution to allow him for the same at the rate of 3s. 9d. per diem from the commencement of the present Session (when his salary ceased) until the end of the present month, at which time the charge will be delivered over to the President of the Board of Works.

Your Committee beg leave also to report a Resolution in favor of *King Barton*, the House Page, allowing him the sum of £10 in addition to his salary for the present Session.

Your Committee beg leave to recommend that an allowance be made to the chief messenger, to enable him to secure the services of a boy to assist him in attending the House during the ensuing Session—and have therefore prepared a blank Resolution for that purpose.

Your Committee, finding some difficulty to have arisen respecting the amount to be paid to the door-keeper by warrant from the Executive Government, beg leave to recommend that he be allowed the sum of £20, in addition to the salary settled upon him by your Honourable House, thus settling his salary for the present year at £80, to include all allowances, from whatever source.

Estimate of the Amount required to meet the Expenses of the Legislative Assembly, during the current year.

CLERK'S OFFICE.

Salaries of Clerks, Translators, &c., from 14th <i>June</i> to 31st <i>December</i> , 1841.....	£2,074 5 10
Stationary.....	450 0 0
Indexing Journals, on account.....	100 0 0

LIBRARY.

Salaries of Librarian and Deputy to 31st <i>Dec</i> ...	165 4 1½
Purchase of Books.....	300 0 0
Newspapers.....	110 0 0
Doorkeepers and Messengers.....	520 0 0

PRINTING.

Printing Bills, &c., during Session.....	900 0 0
Printing Journals (<i>French</i> and <i>English</i>).....	2,800 0 0
Paper for do.....	250 0 0
Binding do.....	250 0 0
Carpenter's work.....	250 0 0
Post Office.....	1,650 0 0
Freight of stoves from <i>Toronto</i> , £20—wood, £60—cutting do, £15.....	95 0 0

Carried forward.....£ 9,914 9 11½

Report of Committee
on Contingencies.

Brought over.....	£ 9,914	9	11½
Amount required to complete service of <i>Upper</i> and <i>Lower Canada</i> —the estimate allowed (£5000) having fallen short of the sum re- quired by this amount.....		117	11 4
To pay sundry accounts audited by the Com- mittee on Contingencies, for articles fur- nished, &c., during the present Session...		601	11 11½
Probable amount required to pay Resolutions to sundry individuals recommended in this report.....		480	0 0
		<hr/>	
		£11,113	13 3"
		<hr/>	

House in Com. to
make good advances
for Contingencies of
last Session U. C.

The Order of the day for the House in Committee to take into consideration the expediency of providing for the balance of the contingent expenses of the last Session of the Legislature of *Upper Canada*, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Williams*, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Resolution reported

And Mr. *Williams*, reported that the Committee had come to a Resolution was again read at the Clerk's table, and agreed to by the House and is as followeth :—

Resolution granting
£6,800 14s. 1¾d.

Resolved—That a sum not exceeding six thousand eight hundred pounds, fourteen shillings, and one penny three farthings, currency, be granted to Her Majesty to make good the like sum issued and paid by Her Majesty's Governor General, in conformity with an address by the late House of Assembly of that part of this Province formerly *Upper Canada*, for the payment of the contingent expenses of the last session of the Legislature of *Upper Canada* aforesaid.

Bill to cover Contingencies of last Session U. C., brought in.

Ordered—That Mr. *Thorburn*, have leave to bring in a Bill to make good certain sums advanced to defray the contingent expenses of the two Houses of the Legislature of the late Province of *Upper Canada*.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time.

Ordered—That the said Bill be now read a second time.

Bill read 2nd time.

The said Bill was accordingly read a second time.

Bill to be engrossed.

Ordered—That the said Bill be engrossed.

On motion of the Honourable Mr. *Harrison*, seconded by Mr. *Parke*,

Resolved—That the following humble address be presented to His Excellency, the Governor General :—

Address to His Exc'y.
to transmit to Her
Majesty the Bill for
sale of public lands
ordered.

To His Excellency the Right Honourable *Charles Baron Sydenham*, of *Sydenham* in the County of *Kent*, and of *Toronto* in *Canada*, one of Her Majesty's Most Honourable Privy Council, Governor General of *British North America*, and Captain General and Governor in Chief in and over the Provinces of *Canada*, *Nova Scotia*, *New Brunswick* and the Island of *Prince Edward*, and Vice Admiral of the same.

May it please your Excellency,

We, Her Majesty's dutiful and Loyal Subjects, the Legislative Council and Legislative Assembly of the Province of *Canada*, in Provincial Parliament assembled, beg leave to inform your Excellency that we have,

during the present Session, passed a Bill intituled "*An Act for the disposal of Public Lands*," which Bill contains clauses, relating to and affecting Her Majesty's prerogative touching the granting of waste Lands of the Crown within the said Province: and we therefore pray that, in order to give effect to the said Bill, your Excellency will be pleased to cause it to be transmitted to *England*, without delay, for the purpose of its being laid before Parliament, previously to the signification of Her Majesty's assent thereto.

Ordered—That the said address be engrossed.

Ordered—That the said address be communicated, by message, to the Legislative Council, requesting the concurrence of their Honours thereto.

Address to be communicated to Leg. Council.

Ordered—That the Honourable Mr. *Harrison*, do carry the said message to the Legislative Council.

The Order of the day for the House in Committee on the report of the Select Committee to which was referred the Petition of *J. S. Baldwin*, and others, Citizens of *Toronto*, being read,

House in Com. on Report on Petition of J. S. Baldwin and others.

The House accordingly resolved itself into the said Committee.

Mr. *Merritt*, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Merritt*, reported that the Committee had agreed to an humble address to Her Majesty, which address was again read at the Clerk's table, and is as followeth:—

Address to Her Majesty reported.

TO THE QUEEN'S MOST EXCELLENT MAJESTY:

MOST GRACIOUS SOVEREIGN:

We, Your Majesty's most dutiful and loyal subjects, the Legislative Assembly, of Canada, in Parliament assembled, humbly beg leave to approach Your Majesty with renewed expressions of our devoted attachment to Your Royal Person and Government.

Address to Her Majesty respecting the seat of Government.

We would, most respectfully, beg leave to represent to Your Majesty, that the Inhabitants of the, now, Province of Canada, having never been expressly called upon to offer an opinion upon the Union of the Provinces of Upper and Lower Canada, do not presume, on the present occasion, to obtrude upon Your Majesty our views and opinions on that measure; but content ourselves, now that it has taken place, with expressing our fervent wishes that every advantage, contemplated by its promoters, may be fully realized.

That the Inhabitants of these Provinces did not anticipate, from the adoption of the union, that the vital interests of any portion were likely to be jeopardized, as recent events seem to threaten, because there is no principle in Legislation more fully established than that when a Law, though necessary for the good of the Community, bears severely on particular Sections, and causes serious loss and inconvenience, such loss and inconvenience should be as fully remunerated as possible, at the expense of the public, for whose benefit it is sustained.

That, in considering the union of the Provinces, the Inhabitants of the Cities of *Quebec* and *Toronto* did not conceal from themselves the possibility of being called upon to make greater sacrifices than the Inhabitants of any other part of the Province; but they did not anticipate any greater disadvantage than what might arise from holding the Provincial Parliament alternately at *Toronto* and *Quebec*; for they assured themselves that their Most Gracious Sovereign, the Queen, in the exercise of

Address to Her Majesty respecting the seat of Government.

Her just prerogative, would be entirely directed, in selecting the place for convening the Legislature, by a due regard to existing claims, and interests, as well as the general convenience of the Province.

That, while the question of the Union was under discussion, only two places seemed to offer any just Claims to become the seat of Government—*Quebec* and *Toronto*—both had been the Capitals of their respective Provinces, from the very first; they possessed all the necessary convenience, and the great interests which had grown up in each respectively, from the fact of their being the seat of Government, required favourable consideration.

That the vast extent of the United Province, (sufficient, in the practice of our neighbours, to constitute six or seven Sovereign States) seems to render any position, however near the centre, undesirable as the permanent place for the meeting of Parliament for the following, among other reasons :

The great object of the Union is to amalgamate, as soon as possible, into one people, the population of both Provinces; gradually but gently to assimilate their laws and customs, their hopes and interests. We respectfully beg leave to express our sincere conviction that no measure can, with equal facility, quicken such happy results as causing the Legislature to meet four years in the midst of one population, and four years in the midst of the other.

The Representatives of Eastern and Western Canada would thus become acquainted with the respective Inhabitants; their habits and views; their wants and expectations, and become able to meet their just desires; and to adopt such measures as will, without violence to any feelings, or even prejudices, transform them, in a reasonable time, into one people.

That the measure of alternate Parliaments, in like circumstances, is not without many precedents, and in the present case will be attended with many essential and paramount advantages. The only objection that can be raised must be confined to a small matter of expense which will bear no proportion to the interest of the very large sums required for erecting such buildings to accommodate the Legislature, and the several Public Departments, as already exist at *Toronto* and *Quebec*.

That although these may be deemed among the leading points in favour of alternate Parliaments at *Quebec* and *Toronto*, there are other reasons, to which, though some what of a local nature, we would respectfully pray Your Majesty's consideration. *Toronto* from the change of the seat of Government is threatened with even greater loss than *Quebec*, from the removal of the Superior Courts. Now such removal would be of great and serious disadvantages to Western Canada. *Toronto* is very nearly in its centre, being about 280 miles from the Point au Baudet, the Eastern extremity, and 270 miles from Amherstburg, the Western; and therefore convenient, beyond all other places, for transacting the public business of the Province.

It has all the public buildings required, and as the Laws, Customs, and habits, of the two Provinces, differ essentially, at present, many years may elapse before they can be assimilated so as to unite the Judiciary.

Add to all this the fact that seven-tenths of the population of Western Canada must always be found west of the *Bay of Quinté*, and to them the loss and inconvenience of managing their business will be greatly increased should the Courts be removed from *Toronto*; and all this without the slightest equivalent.

That many of the inhabitants of the late Provinces of *Lower* and *Upper Canada*, relying on the emphatic language of His late Majesty

King WILLIAM the fourth, "that a Union of the Provinces of *Upper* and *Lower Canada* was not a measure fit to be recommended to Parliament" and therefore not anticipating any such enactment did, under the conviction that *Toronto* and *Quebec* would continue the seat of Government in their respective Provinces, expend the greater part of their means on fixed property, and will therefore, be impoverished, and many of them exposed to the greatest sacrifices should the seat of Government be wholly removed.

Address to Her Majesty respecting the seat of Government.

Indeed the loss to merchants and tradesmen begins already to be felt, and to some it will prove utter ruin, all must suffer should there be no remedy; for the depreciation of real property cannot, under such a disastrous event, be less than several hundred thousand pounds.

Wherefore we most earnestly entreat that Your Majesty, in the exercise of Your Royal prerogative, will be pleased to order that the Parliament of Canada, hereafter, assemble alternately at *Quebec* and *Toronto*, the respective capitals of the late Provinces of *Upper* and *Lower Canada*, or should such prayer be thought unadvisable, and any other measure be adopted, that adequate and just renumeration be granted for the loss sustained by the inhabitants of *Toronto* and *Quebec*.

(Attest,)

W. B. LINDSAY,

Clerk Assembly.

16th September, 1841.

Sir *Allan MacNab* moved, seconded by Mr. *Buchanan*,

That this House doth concur with the Committee in the said Address to Her Majesty.

Motion to concur in Address.

The question having been put upon the said motion, a division ensued, and the names being called for, they were taken down as followeth:—

YEAS.

<i>Armstrong,</i>	<i>Christie,</i>	<i>Moore,</i>	<i>Steele,</i>
<i>Aylwin,</i>	<i>Dunn, Hon. J. H.</i>	<i>Neilson,</i>	<i>Taché,</i>
<i>Baldwin,</i>	<i>Durand,</i>	<i>Parent,</i>	<i>Taschereau,</i>
<i>Barthe,</i>	<i>Hincks,</i>	<i>Quesnel,</i>	<i>Thompson,</i>
<i>Black,</i>	<i>Hopkins,</i>	<i>Ruel,</i>	<i>Turcotte,</i>
<i>Buchanan,</i>	<i>McNab, Sir A. N.</i>	<i>Small,</i>	<i>Viger, Hon. D. B.</i>
<i>Campbell,</i>	<i>Merritt,</i>		(26).

NOES.

<i>Cameron,</i>	<i>De Salaberry,</i>	<i>Johnston,</i>	<i>Roblin,</i>
<i>Cartwright,</i>	<i>Dunlop,</i>	<i>McDonald, (Pres.)</i>	<i>Simpson,</i>
<i>Cook,</i>	<i>Foster,</i>	<i>Morris,</i>	<i>Smith, (Fron.)</i>
<i>Daly, Hon. D.</i>	<i>Gilchrist,</i>	<i>Ogden, Hon. C. R.</i>	<i>Smith, (Went.)</i>
<i>Day, Hon. C. D.</i>	<i>Harrison, Hon. S. B.</i>	<i>Parke,</i>	<i>Sherwood.—21.</i>
<i>Derbshire,</i>			

So it was carried in the Affirmative, and—

Resolved—Accordingly.

Sir *Allan MacMab* moved, seconded by the Honourable Mr. *Dunn*,

That the said Address be engrossed.

Carried.

Address to be engrossed.

The question having been put upon the said motion, a division ensued,

Yeas, 26.

Noes, 21.

And the names being called for, were taken down as in the last preceding division.

So it was carried in the Affirmative, and—
Ordered—Accordingly.

Address to His Excellency to transmit above Address ordered.

Mr. *Small* moved, seconded by Sir *Allan MacNab*, That an humble Address be presented to His Excellency, the Governor General, informing His Excellency, that this House hath voted an humble Address to Her Majesty, upon the subject of the Seat of Government, and praying that His Excellency would be pleased to transmit the said Address to Her Majesty's Government in *England*, to be laid at the foot of the Throne.

The question having been put upon the said motion, a division ensued,

Yeas, 26.
Noes, 21.

And the names being called for, they were taken down as in the last preceding division.

So it was carried in the affirmative, and—
Resolved—Accordingly.

Ordered—That the said Address to His Excellency, the Governor General, and also the Address of this House to Her Majesty, be presented to His Excellency, by such members of this House as are of the Honourable the Executive Council of this Province.

Sydenham Harbor Bill passed.

An engrossed Bill to incorporate certain persons therein named, under the style and title of "The *Sydenham* Harbor Company," was read for the third time.

Resolved—That the Bill do pass.

Ordered—That Mr. *Small* do carry the said Bill to the Legislative Council, and desire their concurrence.

Bill to cover contingencies of last Seas, U. C., passed.

An engrossed Bill to make good certain sums advanced to defray contingent expenses of the two Houses of the Legislature of the late Province of *Upper Canada*, was read for the third time.

Resolved—That the Bill do pass.

Ordered—That Mr. *Thorburn* do carry the said Bill to the Legislative Council, and desire their concurrence.

House in Com. on Anatomical School Bill.

The Order of the day for the House in Committee on the Bill for the establishment of Anatomical Schools, and for the encouragement of anatomical science, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Tuschereau* took the chair of the Committee, and after some time spent therein,

Committee rises.

Mr. Speaker resumed the chair.

House in Com. on Bill to extend certain privileges to Haldimand and Simcoe.

The Order of the day for the House in Committee on the Bill to extend to the Counties of *Haldimand* and *Simcoe*, respectively, certain privileges which they could not otherwise enjoy until they should be finally constituted Districts, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Parent* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Parent* reported, that the Committee had gone through the

Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table, and agreed to by the House.

Ordered—That the said Bill, as amended, be engrossed.

Bill reported amended.

Bill to be engrossed.

The Order of the day for the House in Committee on the report of the Select Committee to which was referred the Petition of *James B. Ewart*, and others, of the Townships of *West Flumborough, Beverly*, and other places, being read,

House in Com. on Report on Petition of J. B. Ewart & others.

The House accordingly resolved itself into the said Committee.

Mr. *Simpson* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair.

Committee rises.

The Order of the day for the House in Committee on the Bill for the protection of copy rights in that part of the Province formerly constituting *Upper Canada*, being read,

House in Com. on U. C. Copy-rights Bill.

The House accordingly resolved itself into the said Committee.

Mr. *Johnston* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Mr. *Johnston* reported, that the Committee had gone through the Bill, and had made several amendments thereto, which amendments were again read at the Clerk's table, and agreed to by the House.

Bill reported amended.

Ordered—That the said Bill, as amended, be engrossed.

Bill to be engrossed.

On motion of Mr. *Thorburn*, seconded by Captain *Steele*,

Ordered—That the fourth report of the Special Committee on the contingent accounts, and other expenses of the present session, be now referred to a Committee of the whole House.

House in Com. on 4th Report of Com. on contingencies.

The House accordingly resolved itself into the said Committee.

Captain *Steele* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Captain *Steele* reported that the Committee had made some progress and had directed him to move for leave to sit again.

Progress reported.

Ordered—That the said Committee have leave to sit again at the next sitting of the House.

A message from the Legislative Council, by *John Godfrey Spragge*, Esq., Master in Chancery.

Message from Leg. Council.

MR. SPEAKER,

The Legislative Council have passed a Bill, intituled "*An Act to authorize the Banks heretofore chartered by Acts of the late Provinces of Upper or Lower Canada, to carry on their business throughout this Province,*" to which they desire the concurrence of the Assembly.

Bill to extend operation of Banks to the whole Province, sent down for concurrence.

And also—

LEGISLATIVE COUNCIL, 16TH SEPTEMBER, 1841.

Ordered—That the Master in Chancery do go down to the Legislative Assembly, and acquaint that House that the Legislative Council have concurred in the address to His Excellency, the Governor General, praying His Excellency to transit to *England* the Bill passed by the two Houses entitled "*An Act for the disposal of the Public Lands,*" and have appointed the Honourable Messieurs *Sullivan* and *Morris*, to be a Committee on their part, who will be ready forthwith to meet a Committee on the part of the Legislative Assembly, for the purpose of waiving

Address to His Excellency to transmit Public Lands sale Bill concurred in.

Com. of Leg. Council to carry up Address.

upon the Governor General, to know when His Excellency would be pleased to receive the said Address, and to present the same.

(Attest.)

JAMES FITZGIBBON,

Clerk Leg. Council.

And then he withdrew.

Bill to extend operation of Banks (Leg. Coun.) read 1st time

An engrossed Bill from the Legislative Council, intituled "*An Act to authorise the Banks heretofore chartered by Acts of the late Provinces of Upper or Lower Canada to carry on their business throughout this Province,*" was read for the first time.

Com to meet Com of Leg. Council, to carry up above Address.

On motion of the Honorable Mr. *Harrison*, seconded by Mr. *Cameron*.
Resolved—That a Committee of four Members be appointed, on the part of this House, to meet a Committee on the part of the Legislative Council, for the purpose of waiting upon His Excellency, the Governor General, to know His Excellency's pleasure when he would be pleased to receive the joint Address of both Houses on the subject of the Bill, intituled "*An Act for the disposal of Public Lands,*" and to present the same.

Ordered—That the Honorable Mr. *Harrison*, Mr. *Cameron*, Mr. *Hopkins*, and Mr. *D. McDonald*, do compose the said Committee.

Ordered—That the said Resolution and Order be communicated, by Message, to the Legislative Council.

Ordered—That the Honorable Mr. *Harrison* do carry the said Message to the Legislative Council.

Bill to extend operation of existing Banks (Leg. Council) read 2nd time.

On motion of Mr. *Black*, seconded by Mr. *Quesnel*,
Ordered—That the engrossed Bill from the Legislative Council, intituled "*An Act to authorise the Banks heretofore Chartered by Acts of the late Provinces of Upper or Lower Canada to carry on their business throughout this Province,*" be now read a second time.

The said Bill was accordingly read a second time.

Bill read 3rd time, and passed.

Ordered—That the said Bill be now read for the third time.

The said Bill was accordingly read for the third time.

Resolved—That the Bill do pass.

Ordered—That Mr. *Black*, do carry back the said Bill to the Legislative Council, and acquaint their Honours that this House hath passed the same, without any amendment.

At 5 o'clock, Mr Speaker declared the House adjourned, until 7 o'clock P. M.

Joris. 16^o die Septembris;

7 o'clock, P. M.

Bill to extend certain privileges to Haldimand and Simcoe, passed.

An engrossed Bill to extend to the Counties of *Haldimand* and *Simcoe*, respectively, certain privileges which they could not otherwise enjoy, until they should be finally constituted Districts, was read for the third time.

Resolved—That the Bill do pass, and the title be "*An Act to extend to the Counties of Haldimand and Simcoe, and a part of the County of Kent, certain privileges, which they could not otherwise enjoy, until they should be finally constituted Districts.*"

Ordered—That Mr. *Thompson*, do carry the said Bill to the Legislative Council, and desire their concurrence.

The Order of the day for the House in Committee on the fourth report of the Special Committee on the contingent accounts and other expenses of the present Session, being read,

The House accordingly resolved itself into the said Committee.

Captain *Steele*, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

And Captain *Steele*, reported that the Committee had come to several Resolutions, which Resolutions were again read at the Clerk's table. and agreed to by the House, and are as followeth :—

Resolved—That there be allowed to the Clerk of this House the sum of £100, in addition to his salary, to pay house rent and fuel for the present year.

Resolved—That the Clerk of this House be allowed one per cent on all payments made by him on account of the contingencies of this House.

Resolved—That there be allowed to the Clerk Assistant the sum of £60, in addition to his salary for the present year.

Resolved—That the Clerk of this House be directed to pay to *Maria McCree*, the sum of £20, for her services in performing the duties of house keeper during the present Session, and to remunerate her in full for all expenses she may have incurred.

Resolved—That there be granted to the Serjeant at Arms of this House, the sum of £50, in addition to his salary for the present year.

Resolved—That the sum of £51 7 6, be granted to defray the expenses of certain persons who have been summoned to give evidence before a Select Committee of this House (as per fourth Report of Select Committee on contingencies.)

Resolved—That there be allowed to *Aeneas Bell*, late chief Messenger to the House of Assembly of *Upper Canada*, the sum of £18 15, for taking charge of the Parliament Building at *Toronto*, from the commencement of the present Session to the end of this month.

Resolved—That the sum of £10, be granted to *King Barton*, the House Page, in addition to his allowance for the present Session.

Resolved—That there be allowed to the Chief Messenger of this House, in addition to his salary of £100, the sum of £25, to enable him to procure the services of a boy to attend during the recess.

Resolved—That the sum of £20 be allowed to the door keeper of this House, to make his salary, including every allowance, up to £80.

On motion of Mr. *Thorburn*, seconded by Captain *Steele*,

Resolved—That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to issue his warrant in favor of *William Burns Lindsay*, Esquire, the Clerk of this House, for the sum of eleven thousand and sixty three pounds, thirteen shillings, and three pence, currency, towards defraying the contingent expenses of this House, and assuring His Excellency that this House will make good the same during the next Session of the Legislature.

Ordered—That the said Address be presented to His Excellency by such Members of this House, as are of the Honourable the Executive Council of this Province.

A message from the Legislative Council, by *John Godfrey Spragge*, Esquire, Master in Chancery.

MR. SPEAKER,

The Legislative Council have passed the following Bills, without any amendment.

“An Act to incorporate the College of *L'Assomption* in the County of *Leinster*.”

House in Com. on 4th Report of Com. on contingencies.

Resolutions reported.

1st. Resolutions :
£100 to Clerk, for house rent, &c.

2nd Resolution :
1 per ct. to Clerk on all payments.

3rd Resolution :
£60 additional to Clerk Assistant.

4th Resolution :
£20 to Mrs. McCree, as House-keeper.

5th Resolution :
£50 additional to Serjeant at Arms.

6th Resolution :
£51 7s. 6d. for payment of witnesses.

7th Resolution :
£18 15s. to Aeneas Bell.

8th Resolution :
£10 additional to House Page.

9th Resolution :
£25 to Chief Messenger, for a boy.

10th Resolution :
£20 additional to Door keeper.

Address to His Exc'y. to advance £11,063 13s. 6d. for payment of contingencies, ordered.

Message from Leg. Council.

Bills passed Leg. Council.

L'Assomption College Bill.

Quebec Board of Trade Bill.
Bill to amend Mont. and Pointe au Beaudet Rail Road Ordinance

“ *An Act to incorporate the Quebec Board of Trade.*”
“ *An Act to extend the provisions of An Ordinance of the Legislature of the late Province of Lower Canada, intituled ‘ An Ordinance for making a Rail Road from the City of Montreal to the Province line, at or near ‘ Pointe au Beaudet ’*”

Bill for erection of certain Light Houses

“ *An Act to provide for the construction of certain Light Houses within the Port of Montreal.*”

Public Improvements Bill.

“ *An Act to appropriate certain sums of money for public Improvements in this Province. and for other purposes therein mentioned.*”

Bill to defray certain expenses of Steam dredge.

“ *An Act to appropriate a certain sum of money to defray certain expenses relative to the Provincial Steam Dredge of Upper Canada, and for other purposes relative to the said Steam Dredge.*”

Bill to make a grant to Victoria College

“ *An Act to grant a certain sum of money as an aid to the Victoria College.*”

Quebec Trinity House Bill

“ *An Act to repeal and amend, in part, certain Acts, and a certain Ordinance, therein mentioned, and to extend the power, and increase the funds, of the Corporation of the Trinity House of Quebec.*”

And also—

Bill granting salaries to Officers of the Legislature sent down amended.

The Legislative Council have passed the Bill intituled “ *An Act to make provision for the payment of the salaries and allowances of certain Officers of the Legislature for a limited period, and other purposes,*” with an amendment, to which they desire the concurrence of the Assembly.

And then he withdrew.

House in Com. on amendments of Leg. Council, to Religious Societies Lands Bill.

The Order of the day for the House in Committee on the amendments made by the Legislative Council to the Bill intituled “ *An Act to enable religious societies of all denominations of Christians to hold the lands requisite for certain purposes therein mentioned,*” being read,

The House accordingly resolved itself into the said Committee.

Mr. *Roblin* took the chair of the Committee, and after some time spent therein,

Com rises

Mr. Speaker resumed the chair.

House in Com. on case of A. Manahan.

The Order of the day for the House in Committee, in the report of the Special Committee to which was referred the Address passed by the late House of Assembly of *Upper Canada*, in favor of *Anthony Manahan*, Esquire ; being read,

The House accordingly resolved itself into the said Committee.

Mr. *Derbshire* took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Resolution reported:

And Mr. *Derbshire* reported that the Committee had come to a Resolution which Resolution was again read at the Clerk’s table, and agreed to by the House, and is as followeth :—

Resolution, for Address to His Excellency in behalf of A. Manahan, Esq.

Resolved—That an humble Address be presented to His Excellency, the Governor General, praying that His Excellency will be pleased to consider the claim of *Anthony Manahan*, Esquire, for losses sustained by him in consequence of the illegal seizure of his property by the collector of the Port of *Kingston*, on *Carleton* Island, in the year 1821, in accordance with the report and Address of the House of Assembly of the late Province of *Upper Canada*.

Ordered—That the said Address be presented to His Excellency, by such Members of this House as are of the Honourable the executive Council of this Province.

The order of the day for the House in Committee on the report of

the Select Committee to which was referred the Petition of *Robert F. Gourlay*, of *Kingston*, being read,

House in Com. on Report on Petition of R. F. Gourlay.

The House accordingly resolved itself into the said Committee.

Mr. *Gilchrist* took the Chair of the Committee, and after some time spent therein,

Mr. *Speaker* resumed the Chair,

And Mr. *Gilchrist* reported that the Committee had come to a Resolution, which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth :—

Resolution reported.

Resolved—That an humble Address be presented to His Excellency, the Governor General, communicating a copy of the report of a Select Committee of this House on the case of *Robert F. Gourlay*, Esquire, and praying that measures may be taken for carrying the recommendations therein contained into effect.

Resolution, for Address to His Excellency communicating Report on Petition of R. F. Gourlay.

Ordered—That the said Address be presented to His Excellency, by such Members of this House as are of the Honorable the Executive Council of this Province.

Ordered—That the Honorable Mr. *Harrison* have leave to bring in a Bill to provide for certain expenses of the Legislature of this Province, and of the late Provinces of *Upper* and *Lower Canada*.

Bill to defray certain expenses of the Legislature brought in.

He accordingly presented the said Bill to the House and the same was received, and read for the first time.

Ordered—That the said Bill by now read a second time.

Bill read 2nd time.

The said Bill was accordingly read a second time.

Ordered—That the said Bill be engrossed.

Bill to be engrossed.

A Message from the Legislative Council, by *John Godfrey Spragge*, Esquire, Master in Chancery.

Message from Leg. Council.

MR. SPEAKER,

The Legislative Council have passed the following Bills, without any amendment :—

Bills passed L. Coun.

“ *An Act to make good certain sums advanced to defray contingent expenses of the two Houses of the Legislature of the late Province of Upper Canada.*”

Bill to cover contingencies of last Sess., U. C.

“ *An Act to repeal certain Acts therein mentioned, and to make further provision for the establishment and maintenance of Common Schools throughout this Province.*”

Common School Bill.

And then he withdrew.

Ordered—That Mr. Solicitor General *Day* have leave to bring in a Bill to provide for the payment of certain monies by the District Treasurers of the Districts in that part of this Province called *Upper Canada*, to the Receiver General, and for other purposes.

Bill for payment of certain moneys to Receiver General by District Treasurers read.

He accordingly presented the said Bill to the House, and the same was received, and read for the first time.

Ordered—That the said Bill be now read a second time.

Bill read 2nd time.

The said Bill was accordingly read a second time.

Ordered—That the said Bill be engrossed.

An engrossed Bill to provide for certain expenses of the Legislature of this Province, and of the late Provinces of *Upper* and *Lower Canada*, was read for the third time.

Bill to provide for certain expenses of the Legislature passed.

Resolved—That the Bill do pass.

Ordered—That the Honorable Mr. *Harrison* do carry the said Bill to the Legislative Council, and desire their concurrence.

Election & Registration
Bill passed.

An engrossed Bill to provide for the enregistration of persons entitled to vote at Elections of Members of the Legislative Assembly of this Province, and to make better provision for the holding of such Elections, was read for the third time.

Resolved—That the Bill do pass, and the title be “*An Act to provide for the Enregistration of persons entitled to vote at Elections of Members of the Legislative Assembly of this Province.*”

Ordered—That the Honorable Mr. *Harrison* do carry the said Bill to the Legislative Council, and desire their concurrence.

House in Com. on
Report on Petition of
J. E. Turcotte, Esq.

The Order of the day for the House in Committee on the report of the select Committee to which was referred the Petition of *Joseph Edouard Turcotte*, Esquire, Representative of the County of *St. Maurice*, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Johnston*, took the chair of the Committee, and after some time spent therein,

Mr. Speaker resumed the chair,

Resolution reported.

And Mr. *Johnston*, reported that the Committee had come to a Resolution, which Resolution was again read at the Clerk's table, and agreed to by the House, and is as followeth :—

Resolution, concur-
ring in report

Resolved—That this House doth concur in the report of the select Committee to which was referred the Petition of *Joseph Edouard Turcotte*, Esquire, Representative of the County of *St. Maurice*.

House in Com. on
Court of Impeach-
ments Bill

The Order of the day for the House in Committee on the Bill to establish a Court in this Province, for the trial of impeachments, being read,

The House accordingly resolved itself into the said Committee.

Mr. *Durand*, took the chair of the Committee, and after some time spent therein.

Mr. Speaker resumed the chair.

Progress reported.

And Mr. *Durand*, reported that the Committee had made some progress, and had directed him to move for leave to sit again.

Ordered—That the said Committee have leave to sit again to-morrow.

Bill for payment of
certain moneys to
Receiver General, by
District Treasurers,
passed.

An engrossed Bill to provide for the payment of certain moneys by the District Treasurers of the Districts in that part of this Province called *Upper Canada*, into the hands of the Receiver General, and for other purposes, was read for the third time.

Resolved—That the Bill do pass.

Ordered—That Mr. Solicitor General *Day*, do carry the said Bill to the Legislative Council, and desire their concurrence.

Copy-rights Bill
passed.

An engrossed Bill for the protection of copy rights in that part of the Province formerly constituting *Upper Canada*, was read for the third time.

Resolved—That the Bill do pass, and the title be “*An Act for the protection of copy rights in this Province.*”

Ordered—That Mr. *Campbell*, do carry the said Bill to the Legislative Council, and desire their concurrence.

Joint Committee on
Library, report

Mr. *Quesnel*, from the joint Committee of both Houses of the Legislature, appointed to enquire into and report to the respective Houses, the number of volumes belonging to the late Legislature of *Upper Canada*, and how they may most properly be divided between the two Houses; presented to the House the report of the said Committee, which was again read at the Clerk's table, and is as followeth :—

Report.

“The Joint Committee having met this day, have adopted the following Resolution :—

Resolved—That in Order to make a proper division of the Books

belonging to the Library of the Parliament of the late Province of *Upper Canada*, it shall be the duty of the Librarians, the Clerks, and the Law Clerks, of the two Houses, at the close of the Session, to divide the same, with a due regard to the interests of both, and with a view to avoid, as far as is practicable, leaving duplicate works in either Library; and that at least one set of the Journals of the Houses of Lords and Commons, shall belong to either House."

Resolved—That this House doth concur with the joint Committee, in the said Report. Report concurred in.

Ordered—That Mr. *Hopkins*, have leave to absent himself from this House during the remainder of the present Session. Leave of absence to Mr. Hopkins.

Then, on motion of Mr. *Roblin*, seconded by Mr. *Campbell*,
The House adjourned.

Veneris, 17^o die Septembris;
Anno 5^o *Victoriae Reginae, 1841.*

Mr. *Small*, from the Special Committee to which was referred the Petition of *Peter Leppard* of *East Gwillimbury, Home District*, and other references, presented to the House the second report of the said Committee, which was again read at the Clerk's table, and is as followeth:— Com. on Petition of P. Leppard present 2nd report, also on Petition of J. Milburn

"It appears to your Committee that pursuant to public notice, a large assemblage of the principal Inhabitants and yeomanry residing within a circuit of from 20 to 30 miles round *Toronto*, took place on the 15th *October, 1839*, on *Yonge street*, near that City, with a view to take into consideration the state of the Province, the Union of the *Canadas*, and Lord *Durham's* report; the meeting was called by persons advocating responsible Government, and of a political class of Her Majesty's subjects in *Upper Canada*, denominating themselves "REFORMERS." Report.

A requisition had previously been made to the Sheriff of the *Home District* (Mr. *Jarris*,) residing at *Toronto*, to convoke the meeting, but he declined, stating as his reason for not complying with the request, that he did not deem the Petitioners sufficiently numerous, observing also that he had received a counter Petition from the Mayor, Alderman, and upwards of two hundred citizens of *Toronto*, and that in the excited state of the public mind, he was apprehensive of a disturbance.

The Resolutions intended to have been proposed to the Inhabitants assembled at the meeting, together with the draft of an address to Her Majesty, and other papers and proceedings relative to the business of the day, have been submitted to your Committee: they appear to be of a constitutional and loyal character; nor does it appear that the discussion of any matter of a contrary description was contemplated thereat. The meeting consisted, according to the concurring testimony of all the witnesses who have been examined on the subject, of unarmed persons, whose demeanor was quiet and orderly, and in all respects such as became a body of freeholders lawfully assembled to consult upon public matters of interest to their Country.

It appears that the Sheriff attended at this meeting, followed by a large body of inhabitants of *Toronto* and its neighbourhood, including the Mayor of the city, several Aldermen, Magistrates, and other public functionaries, wearing badges—and assumed the lead in the business of the

Report of Com on
Petition of P. Leppard.

day, with a view to defeat the purpose of those at whose instance the meeting had been convoked, and generally of the Reformers; and that it is principally to those who followed him, calling themselves "Conservatives," that the riot which took place on the occasion is to be attributed.

The proceedings of the meeting, as well as the choice of the gentleman, who, in the opinion of those calling the meeting, was the fittest person to fill the chair during the business of the day, were all previously determined upon; but the arrival of the Sheriff, and those attending him, disconcerted those arrangements, and led to the disturbance; this officer, upon his arrival on the ground, took possession of the hustings or platform erected for the occasion, and after addressing the multitude in a speech of some length, concluded by calling upon them to nominate a chairman, proposing a gentleman he named to them, and, at the same time, calling upon them to divide. The division, perfect or imperfect, which took place in pursuance of the call, was the occasion of the riot that occurred. It was objected, that the Sheriff, without affording time for a fair division of the meeting, and allowing others to address it, as was desired by some of those present, on the choice of a chairman, declared the gentleman proposed by him to be the choice of the meeting, and installed him as chairman.

Several of those examined, state, however, that a fair division did take place, and that the decision of the Sheriff was fairly approved by a majority of the meeting; others deny it, positively asserting, that time was not afforded for a division, and that none such, in fact, took place. Be this as it may, much dissatisfaction arose out of the circumstance, and the Reformers, in a body, moved from the spot which had thus been previously prepared for their meeting, to a distance of about 150 yards from it, with the intention of holding their meeting apart from those who had come from *Toronto*. This gave umbrage to the latter party, who (although the testimony is contradictory and not conclusive on this point) considered themselves the majority, and that their voice ought therefore to prevail, as that of the meeting, which they thought ought not to be permitted to split, least the Resolutions of the smaller number should go abroad, and be imposed upon the world as expressing the sense of the majority of a public meeting of the *Home District*.

The party who had separated were collected round a wagon, from which one of their chiefs was addressing them, when a rush was made upon them by the other party, who, in passing a board fence on their way to attack the former, broke a part of it into weapons, with the help of which they made a furious onset upon the unarmed and defenceless multitude, whom they dispersed, cruelly beating and wounding several of them. Immediately after this occurrence, and during the acts of violence which followed it, a life was lost, the son of the Petitioner, Mr. *Leppard*.

The part which the Sheriff, and other public officers present, took on the occasion, does not very satisfactorily appear. They, however, came from *Toronto* with those who commenced the riot—headed them to the ground—were identified with their party—and wore badges. It does appear, nevertheless, that the Sheriff personally did endeavour to succour some of the individuals assailed by his party, but an observation that fell from him, as stated by one of the witnesses, was not such as is expected from an officer so particularly charged with the preservation of the public peace as the Sheriff.

Your Committee cannot but deeply regret that a large and respectable body of yeomanry, peaceably and lawfully assembled, to discuss, in a deliberate manner, matters of great moment to themselves and to the Province of *Upper Canada* at large, as *British* subjects, should have been assaulted, dispersed, and maltreated, by their fellow subjects, in the man-

ner in which it appears those assembled on *Yonge Street* the 15th Oct. 1839 were, and prevented from expressing their views, whatever they might have been, on the public affairs of the Country; and more particularly do they regret, that the violence complained of should have proceeded, as it appears to them, principally from persons resident in the Capital of *Upper Canada*, and with whom were mixed up several of the City authorities, and others holding Office under the Crown, upon whom it is especially incumbent to preserve the public peace, and maintain order, and to avoid taking an active part as political partizans.

Report of Com. on
Petition of P. Leppard
and Joseph Milburn.

But the culpability of the rioters, is, in the opinion of Your Committee, lost, in the still higher guilt of the Law Officers of the Crown, and of the Executive Government, for the time being, who could not have been ignorant, but on the contrary it appears to Your Committee were well informed, of those lawless occurrences, yet took no notice of them. The Assizes, which immediately followed the riot, were allowed to pass over without any steps on the part of the public authorities towards an investigation, and from that day to this, no judicial enquiry or proceedings whatever have taken place in reference to the subject; comment on this omission is unnecessary—the time for such enquiry has now gone by, and your Committee fear that at this late period no practical good would result from further investigation of the subject.

With respect to the Petition of *Joseph Milburn*, whose house was attacked by a mob at the time of the last election for the first Riding of *York* and much damage done it: Your Committee cannot recommend any indemnity from the funds of the Province, but they are nevertheless of opinion that the injury and damage he has sustained would constitute a fair claim upon the District where it was committed, and should, as such, deserve the attention of the Municipal Council of that District.”

On motion of Mr. *Johnston*, seconded by Mr. *Derbshire*,

Ordered—That 150 additional Copies of the account current of *Greenfield McDonell* with the Government, for the collection of timber duty on the *Ottawa*, be printed for the use of the Members of this House.

150 copies of account
of McDonell for col-
lection of timber du-
ties to be printed.

Mr. *Hincks* moved, seconded by Mr. *Small*,

That the Order of the day for the House in Committee on the engrossed Bill from the Legislative Council, intituled “*An Act to amend the Usury Laws*,” lost by the adjournment of the House of yesterday, be revived, and that this House do now resolve itself into the said Committee.

Motion to revive or-
der for Com. of whole
on Usury Bill (Leg.
Council.)

Mr. *Baldwin*, seconded by Mr. *Neilson*, moved the previous question, viz.

Previous question
moved.

Shall the main question be now put?

The House divided, and the names being called for they were taken down, as followeth:—

YEAS.

<i>Black,</i>	<i>Dunlop,</i>	<i>Ogden, Hon. C. R.</i>	<i>Smith, (Front.)</i>
<i>Buchanan,</i>	<i>Dunn, Hon. J. H.</i>	<i>Parke,</i>	<i>Sherwood,</i>
<i>Campbell,</i>	<i>Foster,</i>	<i>Raymond,</i>	<i>Thompson,</i>
<i>Daly, Hon. D.</i>	<i>Gilchrist,</i>	<i>Robertson,</i>	<i>Watts,</i>
<i>Day, Hon. C. D.</i>	<i>Hincks,</i>	<i>Simpson,</i>	<i>Williams,</i>
<i>Derbshire,</i>	<i>Killaly, Hon. H. H.</i>	<i>Small,</i>	<i>Woods.—25.</i>
<i>De Salaberry,</i>			

NOES.

<i>Armstrong,</i>	<i>Cartwright,</i>	<i>Cook,</i>	<i>McNab, Sir A. N.</i>
<i>Baldwin,</i>	<i>Chesley,</i>	<i>Durand,</i>	<i>McDonald, (Pres.)</i>
<i>Barthe,</i>	<i>Christie,</i>	<i>Johnston,</i>	<i>McDonald, (Glen.)</i>

<i>Moore,</i>	<i>Quesnel,</i>	<i>Smith, (Went.)</i>	<i>Thorburn,</i>
<i>Neilson,</i>	<i>Roblin,</i>	<i>Tache,</i>	<i>Turcotte,</i>
<i>Parent,</i>	<i>Ruel,</i>	<i>Taschereau,</i>	<i>Viger, Hon. D. B.</i>
<i>Powell,</i>			(25).

Lost, by casting vote And the votes being equally divided, Mr. Speaker gave his casting vote in the Negative.

Message from Leg. Council. A Message from the Legislative Council, by *John Godfrey Spragg*, Esquire, Master in Chancery.

MR. SPEAKER.

Bills passed Leg. Council. The Legislative Council have passed the following Bills, without any amendment,

Bill for payment of certain expenses of the Legislature. “ *An Act to provide for certain expenses of the Legislature of this Province and of the late Provinces of Upper and Lower Canada.*”

Bill for payment of certain moneys to Receiver General, by District Treasurers. “ *An Act to provide for the payment of certain moneys by the District Treasurers of the Districts in that part of this Province called Upper Canada, to the Receiver General, and for other purposes.*”

And then he withdrew.

Messages from His Excellency. The Honourable *S. B. Harrison* one of Her Majesty's Executive Council, delivered to Mr. Speaker, four Messages from His Excellency, the Governor General, signed by His Excellency.

And the said Messages were read by Mr. Speaker, all the members of the House being uncovered, and are as followeth:—

SYDENHAM,

Message agreeing to transmit Address to Her Majesty on admission of Canadian produce into Great Britain In compliance with the request of the House of Assembly, the Governor General will transmit to the Secretary of State, in order that it may be laid at the foot of the Throne, the address of the House to Her Majesty, on the subject of the admission of the products of *Canada* into the ports of *Great Britain* free from duty.

Kingston, 15th September, 1841

SYDENHAM,

Message agreeing to transmit Address to Her Majesty's on Seat of Government. In compliance with the request of the House of Assembly, the Governor General will transmit to the Secretary of State, in order that it may be laid at the foot of the Throne, the address adopted by the House on the subject of the seat of Government.

Government House, 16th September, 1841.

SYDENHAM,

Message in answer to Address for advance for contingencies. The Governor General will, in conformity with the wish of the House of Assembly, issue his warrant in favour of *W. B. Lindsay*, Esq., the Clerk of the House, for £11,063 13s. 3d., C^y., towards defraying the contingent expenses of the House.

Government House, 17th September, 1841.

SYDENHAM,

Message requesting House to meet at Government House, at 3 o'clock. The Governor General being, at present, prevented by indisposition from coming in person to the Legislative Council Chamber, and being desirous of declaring the Royal pleasure on such Bills as have passed the Legislative Council and Legislative Assembly, requests that the Legislative Assembly, when they shall this day adjourn, will adjourn themselves to meet, at three of the clock in the afternoon, at the Government House.

Government House, 17th September, 1841.

On motion of the Honourable Mr. *Harrison*, seconded by Mr. Solicitor General *Day*,

House to meet at Government House, at 3 o'clock.

Ordered—That when the House doth adjourn this day, it will adjourn until three o'clock, P. M., to meet at the Government House.

A Message from the Legislative Council by *John Godfrey Spragge*, Esq., Master in Chancery.

Message from Leg. Council.

MR. SPEAKER,

The Legislative Council have passed the following Bills, without any amendment.

Bills passed L. Coun.

“ *An Act to incorporate certain persons therein named, under the style and title of ‘ The Sydenham Harbour Company.’*”

Sydenham Harbor Bill

“ *An Act for the protection of Copy Rights in this Province.*”

Copy rights Bill.

And also—

LEGISLATIVE COUNCIL, FRIDAY 17TH SEPTEMBER, 1841.

Ordered—That the Master in Chancery do go down to the Legislative Assembly, and communicate to that House the accompanying extract of a report of the Select Committee of the Legislative Council upon the subject of the Library for their information.

Message communicating extract from Report on Library.

Attest,

JAMES FITZGIBBON,

Clerk Leg. Council.

Extract from the report of the Select Committee of the Legislative Council, upon the Library, dated 17th *February*, 1841 :—

Extract from Report of Com. of Leg. Coun. respecting room lately used as Library.

“ As the division contemplated by the report of the Joint Committee, will set at liberty a large apartment on the ground floor of this building, your Committee beg to suggest the propriety of some understanding being entered into between the two Houses whereby that room may be exclusively assigned to the Legislative Assembly, in exchange for one of the rooms now used by that body on the uppermost floor, which would, if transferred to this House, go far to remedy the inconvenience it now experiences from the want of Committee rooms.”

Attest,

JAMES FITZGIBBON,

Clerk Leg. Council.

And then he withdrew.

The Honourable *S. B. Harrison*, one of Her Majesty's Executive Council, delivered to Mr Speaker three Messages from His Excellency, the Governor General, signed by His Excellency.

Messages from His Excellency.

And the said Messages were read by Mr. Speaker, all the members of the House being uncovered, and are as followeth:—

SYDENHAM,

The Governor General will, according to the desire of the House of Assembly, take into his consideration the Petition of the Directors of the *Toronto and Lake Huron Rail Road Company*.

Message respecting Petition of Toronto & L. Huron R. Road Co.

Kingston, 17th September, 1841.

SYDENHAM,

In compliance with the request of the House of Assembly, expressed in their Address of the 16th instant, the Governor General will take into

Message on claim of A. Manahan, Esq.

his consideration the claim of *A. Manahan*, Esquire, to be indemnified for the losses sustained by him in consequence of the illegal seizure of his property, by the Collector at the Port of *Kingston*, on *Carleton Island*, in the year 1821.

Kingston, 17th September, 1841.

SYDENHAM,

Message on case of R. F. Gourlay, Esq

The Governor General will take into consideration the report of the Select Committee of the House of Assembly, on the case of *R. F. Gourlay*, Esquire, as requested in the Address from the House, of the 16th instant.

Kingston, 17th September, 1841.

The House then adjourned.

Veneris, 17^o die Septembris.

3 o'clock, P. M.

His Excellency unable to meet the House, from indisposition.

The Honourable *S. B. Harrison*, one of Her Majesty's Executive Council, rose in his place, and acquainted Mr. Speaker and the House, that in consequence of the severe indisposition of the Governor General, His Excellency could not meet the House, this day, for the purpose of declaring the Royal pleasure on such Bills as have passed the Legislative Council and Legislative Assembly.

Then, on motion of the Honourable Mr. *Harrison*, seconded by Mr. Solicitor General *Day*,

The House adjourned until to-morrow, at noon.

Sabbati, 18^o die Septembris ;

Anno 5^o Victoriae Reginae, 1841.

A Message from the Deputy Governor, by *Frederick Starr Jarvis*, Esquire, Gentleman Usher of the Black Rod.

MR. SPEAKER,

Message summoning House to Bar of Leg. Council.

I am commanded by the Deputy Governor to acquaint this Honourable House, that it is his pleasure that the members thereof do forthwith attend him in the Legislative Council Chamber.

Deputy Governor assents to the following Bills

Accordingly Mr. Speaker and the House went up to the Legislative Council Chamber, to attend the Deputy Governor, when he was pleased to give in Her Majesty's name, the Royal assent to the following public and private Bills :—

Bill to amend Ordinances respecting Winter Roads.
Canada Fire Assurance Bill.
Caledonia Bridge Bill.

" *An Act to amend two certain Ordinances therein mentioned, relative to Winter Roads in that part of the Province formerly Lower Canada.*"

Dalhousie Court House loan Bill.

" *An Act for incorporating the Canada Fire Assurance Company.*"

DeGaspé's relief Bill.
Gaspé Fisheries Bill.

" *An Act to incorporate certain persons under the title of the " Caledonia Bridge Company."*

" *An Act to authorize a further Loan to complete the building of the Court House and Gaol for the intended District of Dalhousie.*"

" *An Act for the relief of Philip Aubert De Gaspé.*"

" *An Act to regulate the Fisheries in the District of Gaspé.*"

- " *An Act to increase the sum which may be raised under a certain Act therein mentioned for defraying the Cost of certain Public Buildings in the County of Simcoe.* "
- Bill to increase sum for erection of public Buildings in Simcoe.
- " *An Act to incorporate a Company under the style and title of ' The City of Toronto Gas Light and Water Company.'* "
- Toronto Gas & Water Company Bill.
- " *An Act to amend the Ordinances of the Legislature of the late Province of Lower Canada, providing for the improvement of the Roads in the neighbourhood of the City of Montreal.* "
- Bill to amend Mont. Roads Ordinance.
- " *An Act to provide temporarily for the Administration of Justice in the Magdalen Islands in the Gulf of Saint Lawrence.* "
- Magdalen Islands Justice Bill.
- " *An Act to incorporate the Montreal Asylum for aged and infirm women.* "
- Montreal aged women's Asylum Bill.
- " *An Act to extend the provisions of an Ordinance therein mentioned to a certain Road on the North side of the River Saint Charles, in the District of Quebec.* "
- Bill to extend provisions of a certain Ordinance to North side of River St. Charles.
- " *An Act to amend the law regulating the Election of Directors of the Grand River Navigation Company.* "
- Grand River Directors election amendment Bill.
- " *An Act to authorize the Stock held by private parties in the Welland Canal to be purchased on behalf of the Province.* "
- Welland Canal stock purchase Bill.
- " *An Act to empower certain Trustees therein mentioned to convey a portion of a certain lot of Land in the Township of Lochiel, in the Eastern District, to the Reverend John McIsaac.* "
- Bill to convey a certain lot of land in Lochiel.
- " *An Act to enable persons authorized to practice Physic or Surgery in Upper or Lower Canada, to practice in the Province of Canada.* "
- Physic and Surgery Practice extension Bill.
- " *An Act to encourage the Establishment of and regulate Savings Banks in this Province.* "
- Savings Banks Bill.
- " *An Act to incorporate certain persons therein mentioned for the purpose of making a macadamized Road from Dundas Street to the River Humber in the Township of York.* "
- Dundas St. & Humber Road Bill.
- " *An Act to amend an Act of the Parliament of the late Province of Upper Canada, intituled, ' An Act to authorize the establishment of Mutual Insurance Companies in the several Districts of this Province.'* "
- Bill to amend Mutual Insurance Act of U.C.
- " *An Act to incorporate the Ladies of the Roman Catholic Orphan Asylum of Montreal.* "
- Mont. R. C. Orphan Asylum.
- " *An Act to repeal a certain Act therein mentioned, and to exempt the Members of Companies of Firemen, lawfully established, from serving as Jurors and in the Militia, except in certain cases.* "
- Bill to exempt Firemen from certain duties.
- " *An Act to authorize the North American Colonial Association of Ireland to Loan Moneys in the County of Beauharnois.* "
- Bill to authorise N. Am. Asso. of Ireland to loan moneys.
- " *An Act to provide for the translation into the French Language of the Laws of this Province, and for other purposes connected therewith.* "
- Bill for French translation of Laws.
- " *An Act to establish a Company by the name of the ' Sydenham Mountain Road Company.'* "
- Sydenham Mountain Road Bill.
- " *An Act to confirm a certain arrangement entered into by the Magistrates of the Districts of Gore and Wellington.* "
- Bill to confirm a certain arrangement between Gore & Wellington District.
- " *An Act to alter and amend the Laws now in force in that part of this Province formerly Upper Canada regulating the District Courts.* "
- U. C. District Courts amendment Bill.

- Criminal Justice Bill. " *An Act for improving the administration of Criminal Justice in this Province.* "
- Larceny Bill " *An Act for consolidating and amending the Laws in this Province relative to Larceny and other offences connected therewith.* "
- Bill respecting injuries to property. " *An Act for consolidating and amending the Laws in this Province relative to Malicious Injuries to property.* "
- Bill respecting offences against the person. " *An Act for consolidating and amending the Statutes in this Province relative to offences against the person.* "
- Bill to authorise G. Durand to construct a Mill-dam. " *An Act to empower George Durand, Esq., to construct a Canal for Mill purposes in the Township of Sarnia.* "
- Bill to naturalize L. Lyman. " *An Act to secure to and confer upon Lewis Lyman, an Inhabitant of this Province, the Civil and Political rights of a natural born British Subject.* "
- Home District debts consolidation Bill. " *An Act to consolidate certain debts due by the Home District and to make provision for the payment thereof.* "
- Bill to extend operation of Penitentiary. " *An Act to render the Penitentiary erected near Kingston, in the Midland District, the Provincial Penitentiary for Canada.* "
- Bill to compel Candidates to declare qualifications. " *An Act to compel all Candidates at any future Elections for Members of the Legislative Assembly, to make and subscribe detailed declarations of the property by them possessed and under which they qualify.* "
- Bill to repeal Ordinance requiring a pass. " *An Act to repeal an Ordinance passed by the Governor and Council of Quebec, in the seventeenth year of the Reign of His Majesty King George the Third, for preventing persons leaving the Province without a pass.* "
- Bill for recovery of small debts in Canada East. " *An Act to provide for the more easy and expeditious administration of Justice in Civil Causes and Matters involving small pecuniary value in that part of this Province heretofore Lower Canada.* "
- Bill app'g Com'rs on late Kingston Bank. " *An Act to appoint additional Commissioners to settle the affairs of the late pretended Bank of Upper Canada at Kingston.* "
- Bill to extend time for completing P. Dover Harbor. " *An Act to extend the time limited by Law for the construction and completion of the Port Dover Harbour.* "
- Warehousing Bill. " *An Act to extend the benefit of the Warehousing System, established by a certain Act of the Imperial Parliament, passed in the Session held in the third and fourth years of His late Majesty's Reign, to Duties imposed by Provincial Acts.* "
- Bill to continue certain Acts. " *An Act to continue for a limited period the certain Acts therein mentioned.* "
- Bill to amend Act of U. C. regulating macadamized roads. " *An Act to explain and amend an Act of the Legislature of Upper Canada relative to District Turnpike Trusts.* "
- Indigent Emigrants' Fund Bill. " *An Act to create a fund for defraying the expense of enabling indigent Emigrants to proceed to their place of destination and supporting them until they can procure employment.* "
- Leggo's indemnification Bill. " *An Act to authorise the payment of a certain sum of money to Christopher Leggo.* "
- Bill for appropriation of School Funds in U. C. " *An Act to make temporary provision for the appropriation of the Funds derived from the Sale of School Lands, in that part of the Province formerly Upper Canada, and for other purposes.* "

" An Act to repeal and amend in part certain Acts and a certain Ordinance therein mentioned, and to extend the powers and increase the funds of the corporation of the Trinity House of Quebec. "	Quebec Trinity House Bill.
" An Act to provide for the construction of certain Light Houses within the port of Montreal. "	Montreal Light Houses Bill.
" An Act to incorporate the College of l'Assomption in the County of Leinster. "	L'Assomption College Bill.
" An Act to appropriate a sum of money to defray certain expenses relative to the Provincial Steam-Dredge of Upper Canada, and for other purposes relative to the said Steam-Dredge. "	Bill to defray certain expenses of steam dredge.
" An Act to grant a certain sum of money as an aid to the Victoria College. "	Bill granting loan to Victoria College.
" An Act to extend the provisions of an Ordinance of the Legislature of the late Province of Lower Canada, intituled, ' An Ordinance for making a Rail Road from the City of Montreal to the Province Line, at or near Pointe au Boulet. ' "	Montreal and P. au Beaudet Rail Road amendment Bill.
" An Act to incorporate certain persons therein named under the style and title of the " Sydenham Harbour Company. "	Sydenham Harbor Bill.
" An Act to make good certain sums advanced to defray contingent expenses of the two Houses of the Legislature of the late province of Upper Canada. "	Bill to cover contingencies of Assembly of U. C.
" An Act for the protection of copy rights in this Province. "	Copy Rights Bill.
" An Act to prevent the Fraudulent Manufacture, importation, or circulation of spurious Copper and Brass Coins. "	Bill to prevent circulation of bad copper.
" An Act to naturalize the Reverend William Sharts. "	Sharts' naturalization Bill.
The title of the following Bills were then read :—	Dep'y Governor reserves following Bills:
" An Act to regulate the Currency of this Province. "	Currency Bill.
" An Act to incorporate the Montreal Board of Trade. "	Montreal Board of Trade Bill.
" An Act to establish a Company to be called the ' Haldimand Glass Works Company. ' "	Haldimand Glass Works Bill.
" An Act to permit the business of the Bank of Upper Canada, to be carried on in Toronto as usual. "	Bill to continue business of U. C. Bank at Toronto.
" An Act for the disposal of Public Lands. "	Bill for disposal of Public Lands.
" An Act to provide for the freedom of Elections throughout this Province, and for other purposes therein mentioned. "	Election Bill.
" An Act to regulate the inspection of Beef and Pork. "	Beef and Pork inspection Bill.
" An Act to regulate the Inspection of Flour and Meal. "	Four and Meal Inspection Bill.
" An Act to renew the Charter of the Bank of Montreal and to increase its Capital Stock. "	Montreal Bank stock increase Bill.
" An Act to extend the Charter of the City Bank, and to increase the Capital Stock thereof. "	City Bank stock increase Bill.
" An Act to extend the Charter of the Quebec Bank. "	Quebec Bank stock increase Bill.
" 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 District Bank Bill.

Quebec Board of Trade Bill

Bill to regulate taking of securities.

Bill to allow U. & L. C. Banks to extend their business over the Province.

“ An Act to incorporate the Quebec Board of Trade.”

“ An Act to regulate the taking of securities in all offices in respect of which security ought to be given and for avoiding the grant of all such offices in the event of such security not being given within a time limited after the grant of such office.”

“ An Act to authorize the Banks heretofore Chartered by Acts of the late Province of Upper or Lower Canada, to carry on their business throughout this Province.”

To each of which it was the Deputy Governor's pleasure to say, that he reserved the said Bill for the signification of Her Majesty's pleasure thereon.

The Honourable Speaker of the Legislative Assembly then said—

SIR,

Speaker presents the following money Bills.

In the name, and on the behalf, of Her Majesty's faithful and loyal Commons, I have the honor of presenting, for your assent, several Bills of aid and supply, which have been granted to Her Majesty during this Session, and which Bills are as followeth :—

Bill requiring U. C. District Treasurers to pay certain moneys to Receiver General.

“ An Act to provide for the payment of certain moneys by the District Treasurers of the Districts, in that part of the Province called Upper Canada, to the Receiver General, and for other purposes.”

Bill to defray certain expenses of the Legislature.

“ An Act to provide for certain expenses of the Legislature of this Province and of the late Provinces of Upper and Lower Canada.”

Distilleries duty Bill.

“ An Act to impose a Duty upon Distilleries in that part of the Province heretofore called Lower Canada.”

Bank Note duty Bill.

“ An Act for levying a certain rate or duty on Bank Notes issued and in circulation in this Province.”

Loan Bill.

“ An Act to facilitate the Negotiation of a Loan in England and for other purposes therein mentioned.”

Common School Bill.

“ An Act to repeal certain Acts therein mentioned, and to make further provision for the establishment and maintenance of common Schools throughout this Province.”

Customs duties Bill.

“ An Act to repeal certain Acts therein mentioned, and to consolidate the Laws relative to the Provincial duties to be levied on Goods, Wares and Merchandize imported into this Province.”

Public Improvements Bill.

“ An Act to appropriate certain sums of money for Public Improvements in this Province, and for other purposes therein mentioned.”

Auction duty Bill.

“ An Act to make certain alterations in the Laws relative to the duty upon sales of property by Auction.”

Census Bill.

“ An Act to repeal certain parts of an Act therein mentioned, and to provide for taking a periodical Census of the Inhabitants of this Province, and for obtaining the other Statistical information therein mentioned.”

Supply Bill.

“ An Act to grant certain sums therein mentioned to Her Majesty towards defraying the expenditure of the Civil Government for the year ending the thirty-first day of December, one thousand eight hundred and forty one.”

Bills assented to.

To each of which Bills, with the exception of the latter, the Deputy Governor was pleased to signify the Royal assent in the following words :

“ In Her Majesty's Name, I assent to this Bill.”

And to the latter, the Deputy Governor was pleased to signify the Royal assent in the following words:—

“ In Her Majesty’s Name, I thank Her loyal Subjects, accept their benevolence, and assent to this Bill.”

And then the Deputy Governor was pleased to make the following Speech, to both Houses:—

*Honourable Gentlemen of the Legislative Council, and—
Gentlemen of the House of Assembly:*

In consequence of the severe indisposition of the Governor General, I have been deputed by Him to signify to you Her Majesty’s pleasure on the several Bills which you have passed during this Session, and to relieve you from further attendance in Parliament. In performing this duty, I beg to congratulate you on the many important measures which you have been enabled to perfect, and on the general harmony which, notwithstanding the difficulties incident to the first meeting of a new Legislature, has marked your proceedings.

Deputy Governor’s
Speech at close of Ses-
sion.

Gentlemen of the House of Assembly:

I thank you, in the name of Her Majesty, for the readiness with which you have voted the Supplies necessary for the public Service, and for maintaining the credit of the Province.

Honourable Gentlemen and Gentlemen:

I am confident that you will sympathize with me in the deep sorrow which I feel for the illness of the Governor General, and in my hope that the sufferings with which it has pleased Almighty God to afflict Him, may be but temporary. In the mean time, I would urge on you the propriety on your return to your homes, of endeavouring to carry out the great improvements now in progress; and of inculcating on those by whom you will be surrounded, as well an oblivion of past differences as a hopeful spirit of enterprize and contentment for the future. In so doing, you will best promote the permanent interests of your Country, and entitle yourselves to the gratitude of your fellow subjects,—and may that Providence which has heretofore so signally protected this land prosper your endeavours.

After which, the Honourable Speaker of the Legislative Council said,

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

It is the will and pleasure of the Deputy Governor that this Provincial Parliament be prorogued until *Monday*, the twenty-fifth day of *October* next; and this Provincial Parliament is accordingly prorogued until *Monday*, the twenty-fifth day of *October* next, to be then and here holden.

Parliament prorogued
to 25th October.



I N D E X
TO THE
FIRST VOLUME OF THE JOURNALS
OF THE
UNITED PARLIAMENT OF CANADA.

FIRST SESSSION.

1841.

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 Jones, David, vide *Roads and Bridges* (aid.)
 Justices of the Peace, Home District, vide *Home District Justices*.

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 Kalar, John.
 Keating, Horace and others, vide *Holland River*.
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 Kelly, Wm. and others, vide *Gaspé County*.
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 Kilborn, Wm. Henry, vide *Licensed Surveyors*.
 King, Wm., vide *Education and Schools* (Scriptures.)
 Kirby, George P. and others, vide *Jenner John*.
 Kurczyn, Nicholas J. W., vide *Taverns and Tavern Keepers*.

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Lacroix, Pierre.
 Lafontaine, Louis H. vide *Elections controverted* (Terrebonne County.)
 Lang, Anna.
 Langlois, Pierre and others, vide *Trinity House*.

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- L'Assomption College.*
 LeBoutillier, Jno. and others, vide *Education & Schools* (aid &c.)
 LeBrun, Chs. M., vide *Elections controverted*, (Beauharnois County.)
 Lee, J. and others, vide *Agricultural Societies.*
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 Lemoine, Wm. and others, vide *Roads and Bridges* (aid.)
 Leppard, Peter, vide *Home District Riots.*
 Leslie, W. and others, vide *Education and Schools* (Scriptures.)
 Lewis, Alexander, vide *Roads and Bridges* (aid.)
 Lister, Jno. Bowman & Co. vide *Robbery of the Mail.*
 Logie, Wm. and others, vide *Education and Schools.*
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 Lussier, Felix, vide *Montreal Fire Insurance Company.*
 Lyman, Lewis and others, vide *St. Lawrence Improvement.*
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- McCarty, Michael.*
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 McDonald, Arch'd and others, vide *Bytown Turnpike.*
 McDonald Arch'd and others, vide *Highways.*
 McDonald, Duncan, vide *Stormont Assessment.*
 McDonald, J. and others, vide *Gananoque Bridge.*
 McDonald, John and others, vide *Education and Schools*, (aid &c.)
 McDonald, Neil and others, vide *Education and Schools*, (aid &c.)
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 McGillivray, M. and others, vide *Presbyterian Congregation Lochiel.*
 McGillvray, Hector and others, vide *Orange Societies.*
 Machar, Rev. J. and Elders, vide *Education and Schools*, (Scriptures.)
 McIntee, Rebecca, vide *Militia Pensions.*
 McKay, F. and others, vide *Dalhousie District.*
 McKenzie, R. and others, vide *Montreal Fire Insurance Company.*
McKenzie, Simon and others.
 McLelland, W. and others, vide *Welland Canal.*
 McLeod, Norman and others, vide *Cross Point Road.*
 McMartin, Alex. and others, vide *Roads and Bridges* (aid.)
 McMorine, Rev. Jas. and others, vide *Education and Schools* (Scriptures.)
MacNab, Jno and Angus MacNab.
 McPherson, Chs. and others, vide *Beaudette River Road.*
 McPherson, Crane & Co., vide *Pilots.*
 Malcolmson, Alex. and others, vide *Education and Schools* (Scriptures.)
 Maning, Rev. J. and others, vide *Education and Schools* (Scriptures.)
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 Masters, and others of Trinity House, vide *Trinity House.*
 Masters of Ships and Pilots, vide *Island of Bicquet.*
 Mathewson, Jas., vide *Elections controverted* (Frontenac County.)
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 Meagher, Jos. and others, vide *Education and Schools* (aid &c.)
 Medical Board, District of Montreal, vide *Medical School.*
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 Menonists and Tunkers, vide *Militia Fines.*
 Mercer, Jas. and others, vide *Talbot District.*
 Midcalf, Jno. vide *Claims for Losses.*
 Mignault, J. E. and others, vide *Montreal Fire Insurance Company.*
 Mignault, Rev. P. M. and others, vide *Richelieu River.*
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 Millar, Andrews, vide *Hamilton Harbor and Dry Dock.*
 Millar, John and others, vide *Education & Schools* (Scriptures.)
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 Millar, William and others, vide *Roads and Bridges* (aid.)
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 Montgomery, J. and others, vide *Roads and Bridges* (aid.)
Montreal Asylum for aged and infirm Women.
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 Do. *Bible Society.*
 Do. *City Bank.*
 Do. *Corporation.*
 Do. *Ladies Benevolent Institution.*
 Do. *Natural Historical Society, vide Geological Survey.*
 Do. *Roman Catholic Orphan Asylum.*

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- Moodie, J. J. S. D. and others, vide *Secret Societies*.
- Moore, W., vide *Beef and Pork Inspection*.
- Morgan, Chs. H. and others, vide *Cobourg and Rice Lake Road*.
- Morgan, Cyprian, vide *Naturalization*.
- Morin, Félicite, vide *Claims for Losses*.
- Morris, Alex. and others, vide *Bankrupt Laws*.
- Mosseau, Louis and others, vide *Bayoune River Bridge*.
- Moulton, Jno. Clough, vide *Naturalization*.
- Muir, Rev. Wm. and others, vide *Education and Schools* (aid &c.)
- Muir, Rev. Wm. and others, vide *Education and Schools* (Scriptures.)
- Murphy, A. and others, vide *Duties on Imports*.
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- Nellis, Warner, and others, vide *Haldimand Company*.
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- Nicholus, George.
- Norreau, James.
- North American Colonial Association of Ireland.
- O
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- O'Brien, Edward and others, vide *Simcoe District*.
- O'Donnell, Edward and others, vide *Ballot*.
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- P
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- Palmer, Arthur and others, vide *Education and Schools* (Scriptures.)
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- Paris, John and others, vide *Education and Schools* (Scriptures.)
- Parish, John and others, vide *Yonge Township*.
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- Patton, Andrew.
- Patton, Duncan and others, vide *Lumber Trade*.
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- Quebec, Bank.
- Do. Corporation.
- Do. Literary and Historical Society, vide *Geological Survey*.
- Do. Male Orphan Society.
- Do. National Society.
- Do. Protestant Female Orphan Society.
- Quinlan, James and others, vide *Churches*.
- R
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- Read, James and others, vide *Roads and Bridges* (aid.)
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- Reid, John and Robert Shepherd.
- Renwick, Thos. and others, vide *Tobacco Duty*.
- Richardson, Ann.
- Ridout, Geo. P., vide *Bankrupt Laws; Currency; Inspection Laws; Lumber Trade; Usury*.
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- Ritchie, Andrew and others, vide *Wellington District*.
- Roach, Rev. Walter and others, vide *Education and Schools* (Scriptures.)
- Robinson, H. and others, vide *Roads & Bridges* (aid.)
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- Robinson, William and others, vide *Roads and Bridges* (aid.)
- Roblin, David and others, vide *Elections controverted*, (Lennox and Addington.)
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- Row Peter, vide *Claims for Losses*.
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- Ruttan, C. S. and others, vide *Roads and Bridge*, (aid.)
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- St. Armand, West Clergy, &c., vide *Education and Schools* (Scriptures)
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 Smith, Bernard and others, vide *Durham Town-*
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 Smith Henry, vide *Provincial Penitentiary.*
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Smyth, John.
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ship.
 Stinson, Elam and others, vide *Gore and Brock*
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 Vosburgh, Abraham P., and Ann, vide *Claims*
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 Wallace, Wm., and others, vide *Roads and*
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- SARNIA CANAL**—Petition of Richard E. Vidal and others, that George Durand may have leave to cut a Canal from the River aux Perches to Lake St. Clair, in the Township of Sarnia, 382, 403. Referred, 389. **BILL** to empower George Durand, Esquire, to construct such Canal for Mill purposes reported and read, 453. Second reading, 471. Passed, 473. By the Council, 502. Royal Assent, 642.—4 and 5 Vic. Cap. 81.
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- SCHOOL LANDS**—Vide *Education and Schools Bill*; *Messages* (19.)
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- SELLERS OF REAL ESTATE**—Bill for relief to, in Upper Canada; brought from the Council, 586. Read, 587. Second reading, 603.
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SPURIOUS COPPER AND BRASS COIN—Bill to prevent the fraudulent manufacture, importation or circulation of Spurious Copper and Brass Coin; brought from the Council and read, 502. Second reading, 568. Passed, 585. Royal Assent. 643.—4th and 5th Vic. Cap. 17.

STANDING COMMITTEES—Vide *Committees Standing*.STATUTE LABOUR—Vide *Elizabethtown; Turnpike Trusts*.

STATUTES AND ORDINANCES REVISION—House resolves to go into Committee to consider of addressing His Excellency, to appoint Commission to revise the Statutes and Ordinances of Lower Canada, 116. Considered; Resolution reported and agreed to 446.—Vide *Addresses* (48.)

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STIPENDIARY MAGISTRACY—Petition of the Very Rev. the Archdeacon Stuart and others, of Kington, for the establishment thereof in said Town, 541, 579.

STORMONT ASSESSMENT—Petition of Duncan McDonald and others, of the Town of Cornwall, to be relieved from the payment of said assessment, 133, 165.

STOTT, DANIEL AND OTHERS—Proprietors of land in the Seignory of De Léry Petition of, that in case of commutation for Feudal Tenures, the value of land be made the basis for calculating the value of the Lods et ventes; and the rate at which lands were originally conceded as the basis for the value of the Cens et Rents, 299, 304.

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- Bill to grant certain sums to Her Majesty for the support of the Civil Government for the year ending 31st December, 1841, presented and read, 562. Second reading, 565. Passed, 566. By the Council, 603. Royal Assent, 644.—4th & 5th Vic., Cap. 50.

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—House resolves to go into Committee of, 580. Message (28) respecting aid to Victoria College committed, *ibid.* Also report of Commissioner of Provincial Steam Dredge, and Message (20,) on the same subject, 590. Subjects considered, 598. Two resolutions reported and agreed to, 604.—Vide *Victoria College* ; *Steam Dredge.*

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Reported.	Agreed to.	For what Purpose.	Sums granted.		
			Currency.		
			£	s.	d.
500	516	Welland Canal.	450,000	0	0
ib.	ib.	For completing the free passage between the Western portion of the Province, the St. Lawrence, and the Sea,	315,070	0	0
ib.	ib.	River Richelieu,	21,000	0	0
ib.	ib.	River Ottawa,	28,000	0	0
ib.	ib.	Burlington Canal,	45,000	0	0
ib.	ib.	Internal Waters of the New-Castle District,	50,000	0	0
ib.	ib.	Harbours and Light, Houses and the Roads leading thereto,	74,000	0	0
ib.	517	For Bay of Chaleur's Road,	15,000	0	0
ib.	ib.	Gosford Road,	10,000	0	0
ib.	ib.	Main Northern Road,	30,000	0	0
ib.	ib.	Cascades to Coteau du Lac,	15,000	0	0
ib.	ib.	Brantford to London,	55,000	0	0
ib.	ib.	Thence to Port Sarnia,	15,000	0	0
ib.	ib.	London to Chatham, Sandwich and Amherstburg,	36,000	0	0
501	ib.	For Bridges between Quebec and Montreal,	34,000	0	0
ib.	ib.	Navigation of Lake St. Peter,	58,500	0	0
ib.	ib.	St. Lawrence Navigation,	376,612	0	0
588	588	Military Road from the Ottawa to the St. Lawrence,	1,500	0	0
ib.	ib.	Hamilton and Port Dover Road,	30,000	0	0
554 } 555 }	560	Amount for the various Public Departments, (Salaries and Contingencies.)	1,010	18	5
555	ib.	Additional Salary, Attorney General Upper Canada,	94	19	6
556	ib.	Additional Salary, Solicitor General Upper Canada,	41	8	0
ib.	ib.	Criminal Prosecutions, Upper Canada,	87	13	5
ib.	ib.	Usher and Keeper Queen's Bench, Upper Canada,	4	7	8
ib.	ib.	Government Printing, Upper Canada,	82	3	10
ib.	ib.	Contingencies of Public Offices, Upper Canada,	87	13	5
ib.	ib.	Contingencies Clerk of the Crown, Upper Canada, (Two Periods.)	60	0	0
ib.	ib.	Contingencies of Legislature, Upper Canada,	5,000	0	0
ib.	ib.	Casual and Extraordinary Expenses, Upper Canada,	200	0	0
ib.	ib.	Common Schools, Upper Canada, (Two Periods.)	5,650	0	0
ib.	ib.	Upper Canada College,	989	6	10½
ib.	ib.	Central School, Toronto,	371	0	1¼
ib.	ib.	Peterborough School,	66	15	7½
557	ib.	Provincial Penitentiary,	11,271	0	0
ib.	ib.	Printing Revised Statutes,	3,000	0	0
ib.	ib.	Owen's Sound Road,	2,500	0	0
ib.	ib.	Toronto General Hospital,	500	0	0
ib.	ib.	House of Industry, Toronto,	350	0	0
ib.	ib.	Sick and Poor at Kingston,	350	0	0
ib.	ib.	Commissioners on losses by late Rebellion,	500	0	0
ib.	ib.	Casual and Extraordinary Expenses, Upper Canada,	300	0	0
			<i>Sterling.</i>		
ib.	ib.	Adjutant General Militia, Upper Canada,	112	10	0
ib.	ib.	Department of the Adjutant General of Militia, Lower Canada,	169	5	0
ib.	ib.	Two Provincial Aides-de-Camp,	90	0	0
ib.	ib.	Translating Public documents,	12	10	0
558	ib.	Repairs of Public Buildings,	250	0	0
ib.	ib.	Surveyor of Highways, Gaspé,	12	10	0

RESOLUTIONS OF SUPPLY—CONTINUED.

Reported.	Agreed to.	For what Purpose.	Sums granted.
			<i>Sterling.</i>
			£ s. d.
558	560	Inspector of Chimneys, Three Rivers,	6 5 0
ib.	ib.	Three Keepers of Depôts of Provisions,	37 10 0
ib.	561	Unforeseen expenses, for the Public Service,	500 0 0
ib.	ib.	Montreal Grammar School,	63 10 0
ib.	ib.	Officers and Messenger of Royal Institution for advancement of Learning,	40 5 0
ib.	ib.	Removing Library from Quebec to Kingston,	119 10 7
ib.	ib.	Collector and Land Waiter at the Port of Phillipsburg,	37 2 6
ib.	ib.	Clerk to the Collector at St. Johns,	45 0 0
ib.	ib.	Relief of Insane, and for support of Foundlings, and the indigent Sick, at Quebec, Montreal, and Three Rivers,	887 10 0
559	ib.	Montreal Hospital,	225 0 0
ib.	ib.	Various Orphan Asylums in Quebec and Montreal, (£22 10 Sterling each,)	112 10 0
ib.	ib.	Montreal Ladies Benevolent Society,	22 10 0
ib.	ib.	Montreal Lunatic Asylum,	270 0 0
ib.	ib.	Schools in Lower Canada,	695 0 0
ib.	ib.	Printing Ordinances of Special Council,	1,800 0 0
ib.	ib.	Interest on Loans for Montreal and Quebec Roads,	2,000 0 0
ib.	ib.	Keeper of Parliament Buildings Quebec,	22 10 0
ib.	ib.	For forwarding Emigrants, in 1840 and 1841,	5,789 4 8
ib.	ib.	For a Geological Survey,	1,500 0 0
560	ib.	Fees and Expenses on Writs of Election,	862 1 8
			<i>Currency.</i>
604	604	Aid to Victoria College,	500 0 0
ib.	ib.	To Commissioner of the Provincial Steam Dredge,	447 4 2
605	605	Light Houses on the River St. Lawrence,	925 0 0
606	606	Speakers and Officers of the Legislature,	5,495 0 0
607	607	Pensions to certain Officers and Servants of the Legislatures of the late Provinces of Upper and Lower Canada,	1,534 0 0
608	608	Sessional Allowance to Members,	6,800 0 0
		By Address (62) for Contingencies of the Legislative Assembly to the 31st December, 1841.	11,063 13 3

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SURVEYS—Vide *Addresses (23.)*

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